

**City Of Santee  
Regular Meeting Agenda**

**Santee City Council  
Community Development Commission  
Santee Public Financing Authority**

**Council / Commission / Authority Chamber  
10601 Magnolia Avenue  
Santee, CA 92071**

**June 13, 2007  
7:00 PM**

*(Call meeting to order as City Council/Community Development Commission/Public Financing Authority)*

**ROLL CALL:** Mayor Randy Voepel  
Vice Mayor John Minto  
Council Members Jack Dale, Brian Jones and Hal Ryan

**INVOCATION:** Father Kevin Casey, Guardian Angels Catholic Church

**PLEDGE OF ALLEGIANCE:**

**PRESENTATION:** PRESENTATION OF FUNDS TO CITY COUNCIL BY  
WASTE MANAGEMENT FOR SANTEE SALUTES EVENT

**PROCLAMATION:** DIANE WILKERSON - FOOD BANK COORDINATOR

**ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:**

**1. CONSENT CALENDAR:**

Consent Calendar items are considered routine and will be approved by one motion, with no separate discussion prior to voting. Council Members, staff or public may request specific items be removed from the Consent Calendar for separate discussion or action. Speaker slips for this category must be presented to the City Clerk before the meeting is called to order. Speakers are limited to 3 minutes.

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.**
- (B) Approval of Meeting Minutes:  
Santee City Council 5-23-07 Regular Meeting  
Community Development Commission 5-23-07 Regular Meeting  
Santee Public Financing Authority 5-23-07 Regular Meeting**
- (C) Approval of Payment of Demands as Presented.**
- (D) Approval of the Expenditure of \$117,722.03 to pay for April 2007 Legal Services and Related Costs.**
- (E) Authorization to Award a Professional Services Contract to Birmingham Press for the Publication of the Santee Review, and Authorization for the City Manager to Execute the Contract.**
- (F) Approval to Utilize County of San Diego Cooperative Contract No. 519042 with Corporate Express for City-Wide Purchase of FY 2007-08 Office Supplies, and Authorization for the City Manager to Approve up to Four (4) One-year Contract Renewals Should the County of San Diego Opt to do so.**
- (G) Authorization for the City Manager to Execute a Change Order to the Existing Contract with Republic ITS for Traffic Signal Maintenance in the Amount of \$35,000.**
- (H) Rejection of Claim Against the City Filed by AT&T/Pacific Bell.**
- (I) Authorization for the City Manager to Execute a 90-day Extension for the Street Sweeping Services Contract with Cannon Pacific Services in an Amount Not to Exceed \$43,500 to Become Effective July 1, 2007.**

**2. PUBLIC HEARINGS:**

**(A) Public Hearing for the Fiscal Year 2007-08 Town Center Landscape Maintenance District Annual Levy of Assessments.**

Recommendation:

1. Conduct and close the Public Hearing, and
2. Adopt Resolution authorizing the FY 2007-08 Assessments.

**(B) Public Hearing for the Fiscal Year 2007-08 Santee Landscape Maintenance District Annual Levy of Assessments.**

Recommendation:

1. Conduct and close the Public Hearing, and
2. Adopt Resolution authorizing the FY 2007-08 Assessments.

**(C) Public Hearing for the Fiscal Year 2007-08 Santee Roadway Lighting District Annual Levy of Assessments.**

Recommendation:

1. Conduct and close the Public Hearing, and
2. Adopt Resolution authorizing the FY 2007-08 Assessments.

**3. ORDINANCES (First Reading):**

**(A) Introduction and First Reading of an Ordinance of the City of Santee, California Adding Chapter 5.15 to the Municipal Code Establishing Franchise and PEG Fees and Customer Service Penalties for State Franchise Holders Providing Video Service Within the City of Santee.**

Recommendation:

Introduce and conduct First Reading of the Ordinance and set the second reading and adoption of the Ordinance for the June 27, 2007 City Council meeting.

**(B) Introduction and First Reading of an Ordinance of the City of Santee, California Describing the Program of the City of Santee Community Redevelopment Commission Regarding the Use of Eminent Domain and Authorizing the Recording of a Revised Statement of Proceedings, as Required by Senate Bills 53 and 1809.**

Recommendation:

Introduce and conduct First Reading of the Ordinance and set the second reading and adoption of the Ordinance for the June 27, 2007 City Council meeting.

**4. CITY COUNCIL REPORTS:**

**(A) Support for the Santee Santas. (Ryan, Voepel)**

Recommendation:

Discuss and approve allocation of funds supporting the Santee Santas.

**5. CONTINUED BUSINESS: None**

**6. NEW BUSINESS:**

**(A) Review of the Proposed Fiscal Year 2007-08 and Fiscal Year 2008-09 Budget. (Relates to Item 9A)**

Recommendation:

Review the proposed Operating Budget for FY 2007-08 and FY 2008-09 and provide direction to staff.

**(B) Proposed Work Program to Update Various Elements of the General Plan and Zoning Code.**

Recommendation:

Provide direction to staff on proposed changes.

**7. COMMUNICATION FROM THE PUBLIC:**

*Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the Agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

**8. CITY MANAGER REPORTS:**

**9. COMMUNITY DEVELOPMENT COMMISSION:**

(Note: Minutes appear as Item 1B)

**(A) Review of the Proposed Fiscal Year 2007-08 and Fiscal Year 2008-09 Budget. (Relates to Item 6A)**

Recommendation:

Review the proposed Operating Budget for FY 2007-08 and FY 2008-09 and provide direction to staff.

**10. SANTEE PUBLIC FINANCING AUTHORITY:**

(Note: Minutes appear as Item 1B)

**11. CITY ATTORNEY REPORTS:**

**12. CLOSED SESSION:       None**

**13. ADJOURNMENT:**



June	13	City Council/CDC/SPFA Meeting	Chamber
June	21	Santee Manufactured Home Fair Practice Commission	Chamber
June	27	City Council/CDC/SPFA Meeting	Chamber
June	28	Santee Human Relations Advisory Board	Chamber Conf Rm.
July	05	Santee Park and Recreation Committee	Building 6 Conf. Rm.
July	11	City Council/CDC/SPFA Meeting	Chamber
July	25	City Council/CDC/SPFA Meeting	Chamber
July	26	Santee Human Relations Advisory Board	Chamber Conf Rm

The Santee City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

**For your convenience, a complete Agenda Packet is available for public review at the Santee Library, City Hall and on the City's website at [www.ci.santee.ca.us](http://www.ci.santee.ca.us).**

***The City of Santee complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (619) 258-4100, ext. 112 at least 48 hours before the meeting, if possible.***

State of California }  
 County of San Diego } ss.  
 City of Santee }

### AFFIDAVIT OF POSTING AGENDA

I, Linda A. Troyan, MMC, City Clerk of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Agenda was posted in accordance with Resolution 61-2003 on June 8, 2007 at 4:30 p.m.

\_\_\_\_\_  
 Signature

6/8/07  
 Date

**MEETING DATE**

**JUNE 13, 2007**

**AGENDA ITEM NO. PRES**

**ITEM TITLE**

**PRESENTATION OF FUNDS TO CITY COUNCIL BY WASTE  
MANAGEMENT FOR SANTEE SALUTES EVENT**

**DIRECTOR/DEPARTMENT**

Mayor Randy Voepel

**SUMMARY**

For several years, Waste Management has been the Presenting Sponsor of Santee Salutes, the City's July 4<sup>th</sup> fireworks showcase and signature event.

At tonight's meeting, Waste Management will present a check to the City Council in the amount of **\$25,000.00**.

**FINANCIAL STATEMENT**

Waste Management's contribution will be used to offset costs associated with the Santee Salutes event, including but not limited to the fireworks showcase and other entertainment.

**RECOMMENDATION**

Accept the contribution from Waste Management and recognize them as a valuable member of our corporate community.

**ATTACHMENTS (Listed Below)**

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO.** PROC

**ITEM TITLE** PROCLAMATION: DIANE WILKERSON, FOOD BANK COORDINATOR

**DIRECTOR/DEPARTMENT** Randy Voepel, Mayor

**SUMMARY**

Tonight the City is honoring one of its finest citizens, Volunteer Coordinator of the Santee Food Bank, Diane Wilkerson. Ms. Wilkerson has single-handedly run the Food Bank for 16 years, giving her time and energy to a good cause. Ms. Wilkerson directs other volunteers six days a week to provide emergency food assistance to Santee residents and their families. They serve up to 1,000 residents per month.

Diane Wilkerson's dedicated service is appreciated not only by the citizens of Santee, but even more by her peers at the Santee Food Bank.

We appreciate the impact Diane's volunteer career has had on our community and thank her for her continued dedication and hard work.

**RECOMMENDATION** N/A

**ATTACHMENTS (Listed Below)**

Proclamation



# City of Santee, California

## Proclamation

**WHEREAS**, Diane Wilkerson has volunteered at the Santee Food Bank for sixteen years; and

**WHEREAS**, Ms. Wilkerson first got involved with the Santee Food Bank as a way of spending constructive time with her daughter; and

**WHEREAS**, over time Ms. Wilkerson's involvement and responsibilities grew, and now she single-handedly runs the Santee Food Bank as Volunteer Coordinator; and

**WHEREAS**, six days a week, Ms. Wilkerson directs a number of volunteers to provide emergency food assistance to more than 200 Santee residents and their families; and

**WHEREAS**, the City is thankful that Ms. Wilkerson continues her work at the Santee Food Bank because of the need she fills in the lives of so many who come for assistance.

**NOW, THEREFORE**, I, Randy Voepel, Mayor of the City of Santee, on behalf of the City Council do hereby proclaim June 14, 2007 as

### **"DIANE WILKERSON DAY"**

in the City of Santee, in honor of more than sixteen years of heartfelt and loyal dedication to Santee citizens and the community at large.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of June, two thousand and seven, and have caused the Official Seal of the City of Santee to be affixed.

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Mayor Randy Voepel

**MEETING DATE:** June 13, 2007

**AGENDA ITEM NO.** 1B

**ITEM TITLE** APPROVAL OF MEETING MINUTES: SANTEE CITY COUNCIL,  
COMMUNITY DEVELOPMENT COMMISSION AND SANTEE PUBLIC  
FINANCING AUTHORITY REGULAR MEETING OF MAY 23, 2007.

**DIRECTOR/DEPARTMENT** Linda A. Troyan, MMC, City Clerk

**SUMMARY**

Submitted for your consideration and approval are the minutes of the above meetings.

**FINANCIAL STATEMENT** N/A

**RECOMMENDATION**

Approve Minutes

**ATTACHMENTS** (Listed Below)

Minutes

## **Minutes**

### **Santee City Council Community Development Commission Santee Public Financing Authority**

Draft

**Council Chambers  
10601 Magnolia Avenue  
Santee, California**

**May 23, 2007**

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:02 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair John W. Minto and Council/Commission/Authority Members Jack E. Dale, Brian W. Jones and Hal Ryan.

Staff present were: City Manager/Executive Director/Secretary Keith Till, Deputy City Manager/Director of Development Services Gary Halbert, City/Commission/Authority Attorney Shawn Hagerty, Assistant to the City Manager Kathy Valverde, Finance Director/Treasurer Tim McDermott, Interim Director of Fire and Life Safety Mike Rottenberg, Director of Human Resources Jodene Dunphy, Santee Sheriff's Captain Patricia Duke, City Clerk/Commission Secretary Linda Troyan, and Administrative Secretary Pam Coleman.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/Deputy Commission Secretary.)

The **INVOCATION** was given by Pastor Jay Calisher from Calvary Chapel Santee and the **PLEDGE OF ALLEGIANCE** was led by Santee Code Compliance Officer Dan Summers.

**ADJOURNMENT IN MEMORY:** **Marine Major Douglas Zembiec**  
The Certificate will be mailed to the family.

### **PROCLAMATION: EDMOOR HOSPITAL – WORLD NO TOBACCO DAY**

Vice Mayor Minto presented the Proclamation to Gwenmarie Hilleary, Edgemoor Hospital Administrator. Also present were Lorenzo Higley, CASA; and Kimberly King, Edgemoor Department Personnel Director.

**PROCLAMATION: NATIONAL PUBLIC WORKS WEEK – MAY 20-26, 2007**

Mayor Voepel presented the Proclamation to Community Services Director John Coates and Development Services Director Gary Halbert. He congratulated them both for a job well done.

**ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:**

Vice Mayor Minto requested Item 1(D) be pulled for discussion. Council Member Dale requested Item 1(L) and 1(O) be pulled for discussion. Council Member Jones requested Item 1(E), 1(N), and 1(O) be pulled for discussion.

With regard to Item 1(N), Vice Mayor Minto abstained from the vote regarding the property located at 8525 Mesa; Council Member Ryan abstained from the vote regarding the property located at 10361 Happy Lane; and Mayor Voepel abstained from the vote regarding the property located at 9139 Northcote Road.

**1. CONSENT CALENDAR:**

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.**
- (B) Approval of Meeting Minutes:**
  - Santee City Council 5-9-07 Regular Meeting**
  - Community Development Commission 5-9-07 Regular Meeting**
  - Santee Public Financing Authority 5-9-07 Regular Meeting**
- (C) Approval of Payment of Demands as Presented.**
- (D) Item pulled for discussion.**
- (E) Item pulled for discussion.**
- (F) Adoption of a Resolution Accepting the Public Improvements for the Treviso Subdivision (TM 2003-01) at Mission Gorge Road and West Hills Parkway. (Reso 33-2007)**
- (G) Adoption of a Resolution Accepting the Public Improvements for Lowe's Home Improvement Center (P99-11) at 9416 Mission Gorge Road. (Reso 34-2007)**
- (H) Adoption of a Resolution Vacating the Relinquished Abutters Rights of Access and Slope Rights to a Portion of Lot 3 of Map 10110 at Grass Valley Lane and Medina Drive. (Reso 35-2007)**

- (I) **Authorization to Appropriate \$38,000 from the Special Street Lighting Fund Reserves and Authorize the City Manager to Execute a Change Order to the Existing Contract with Southwest Signal Services in the Amount Appropriated.**
- (J) **Adoption of Resolutions Approving the Engineer's Report, Declaring the City Council's Intention to Levy Assessments and Setting a Public Hearing Thereon for the Fiscal Year 2007-08 Town Center Landscape Maintenance District. (Resos: ER – 36-2007 & PH – 37-2007)**
- (K) **Adoption of Resolutions Approving the Engineer's Report, Declaring the City Council's Intention to Levy Assessments and Setting a Public Hearing Thereon for the Fiscal Year 2007-08 Santee Landscape Maintenance District. (Resos: ER – 38-2007 & PH – 39-2007)**
- (L) **Item pulled for discussion.**
- (M) **Adoption of a Resolution Awarding the Construction Contract to W.R. Robbins Co. Inc. in the Amount of \$195,000; Authorizing Change Orders in an Amount Not to Exceed \$9,750; and Authorization to Approve Construction Related Expenditures for Fire Station #4 HVAC Upgrade, CIP 2006-43. (Reso 42-2007)**
- (N) **Item pulled for discussion.**
- (O) **Item pulled for discussion.**

**ACTION:** On motion of Vice Mayor Minto, seconded by Council Member Jones, the Agenda and Consent Calendar were approved as amended with all voting aye.

**Removed from Consent Calendar:**

- (D) **Adoption of a Resolution Awarding the Construction Contract for Council Chamber Audio-Visual Upgrade, CIP 2006-42, to Audio Associates of San Diego in the Amount of \$100,282, and Authorizing Change Orders in an Amount Not to Exceed \$10,000. (Reso 31-2007)**

City Clerk Troyan answered Vice Mayor Minto's questions regarding the design committee and the vendor's qualifications.

**ACTION:** On motion of Vice Mayor Minto, seconded by Council Member Jones, the resolution awarding the construction contract for Council Chamber Audio Visual Upgrade, CIP 2006-42 to Audio Associates of San Diego in the amount of \$100,282 and authorizing change orders in an amount not to exceed \$10,000 was approved with all voting aye.

**(L) Adoption of Resolutions Approving the Engineer's Report, Declaring the City Council's Intention to Levy Assessments and Setting a Public Hearing Thereon for the Fiscal Year 2007-08 Santee Roadway Lighting District. (Resos: ER – 40-2007 & PH – 41-2007)**

Finance Director McDermott answered Council Member Dale's questions regarding the increase in Zone 18. The increase was based on actual maintenance cost for that zone.

**ACTION:** On motion of Council Member Dale, seconded by Council Member Jones, the two resolutions approving the Engineer's Report, declaring the City Council's intention to levy assessments and setting a public hearing thereon for the fiscal year 2007-08 Santee Roadway Lighting District was approved with all voting aye.

**(O) Approval for a Temporary Street Closure of a Portion of Town Center Parkway between Cuyamaca Street and Riverview Parkway June through August 2007 for Phase 1 Improvements related to the RiverView Office Park.**

City Engineer Cresswell answered Council's questions regarding signage and traffic control. Council Member Ryan suggested working with Ryan Companies to temporarily allow extended work hours for this portion of the project.

**PUBLIC SPEAKER:**

In Support – Dean Allen, Ryan Companies

**ACTION:** On motion of Council Member Dale, seconded by Vice Mayor Minto, staff's request to close a portion of Town Center Parkway for a period of up to three months from June through August 2007 for Phase 1 of the improvements related to the RiverView Office Park was approved with all voting aye, except Council Member Jones who voted no.

**(E) Adoption of a Resolution Approving a Revised Records Retention Schedule. (Reso 32-2007)**

Council Member Jones had questions regarding retention schedule costs. City Clerk Troyan answered that the revised retention schedule would not only result in cost savings for the City, but it would improve customer service and efficiency as well. There were no additional costs associated with this item. This item gives the City authority to update the schedule to comply with State law.

**ACTION:** On motion of Council Member Jones, seconded by Council Member Dale, the resolution approving a revised Records Retention Schedule was approved with all voting aye.

**(N) Adoption of a Resolution Approving the Cost Report and Account of Unpaid Weed Abatement Invoices, Establishing Special Assessments and Authorizing Filing with the County Auditor. (Reso 43-2007)**

Fire Chief Rottenberg answered Council's questions regarding Weed Abatement policies and procedures. Staff is to return to Council regarding administrative fees.

**ACTION:** On motion of Council Member Jones, seconded by Vice Mayor Minto, the resolution approving the cost report and account of unpaid weed abatement invoices, establishing special assessments and authorizing filing with the County Auditor was approved with all voting aye.

**2. PUBLIC HEARINGS:**

**(A) Continued Public Hearing for Tentative Map (TM05-09) to Subdivide Six Residential Lots and Development Review Permit (DR06-19) to Construct Six Single Family Dwelling Units and a Private Road on a 2.3 Acre Site, located on the East Side of Summit Avenue, Approximately 800 Feet North of Princess Joann Road in the R-1A Low Density Residential Zone. Applicant: G.A. Development LLC. (Continued from 5/9/07) (Resos: TM – 44-2007 & DR – 45-2007)**

The Public Hearing opened at 7:53 p.m. Associate Planner McMurray presented the staff report.

During lengthy discussion, Director of Development Services Halbert, City Engineer Cresswell, and City Planner Kush answered Council's questions regarding drainage and road issues.

**PUBLIC SPEAKERS:** None

**ACTION:** On motion of Council Member Dale, seconded by Council Member Jones, the Public Hearing was closed at 8:10 p.m., the Mitigated Negative Declaration was approved as complete and in compliance with the provision of the California Environmental Quality Act, and the two resolutions approving Tentative Map TM05-09 and Development Review Permit DR06-19 were adopted with all voting aye.

**(B) Public Hearing to Assess and Prioritize Affordable Housing Needs to be Funded Under the HOME Program for Fiscal Year 2007-08. (Reso 46-2007)**

The Public Hearing opened at 8:10 p.m.

**PUBLIC SPEAKERS:** None

**ACTION:** On motion of Council Member Dale, seconded by Council Member Minto, the Public Hearing was closed at 8:11 p.m., the resolution allocating HOME funds of \$181,598, American Dream Down Payment Initiative funds of \$4,000 and HOME Administrative funds of \$6,611.32 to

the First Time Home Buyer Program was adopted with all voting aye.

**3. ORDINANCES (First Reading):** None

**4. CITY COUNCIL REPORTS:**

**(A) Charter Advisory Committee. (Voepel & Minto)**

Mayor Voepel reported that he met with Vice Mayor Minto, City Manager Till, and City Attorney Hagerty to discuss the establishment of a Charter Advisory Committee. As outlined in the staff report, it is proposed that an 8 – 10 member Charter Advisory Committee be appointed with the following institutions represented:

- 2 Council Members
- 3 Residents (renter, homeowner, and mobile home owner)
- 2 Business (general business and developer/building industry)
- 1 Non-profit Organization
- 1 Service Club Organization
- 1 Labor Organization

The Council Subcommittee will come back to Council with recommendations for each category and then back again for final approval of the 8-10 committee members.

Council Member Jones asked if applicants would be required to be Santee residents. Vice Mayor Minto answered that yes they would be required to be Santee residents. After discussion, Council Members agreed to leave applications open to residents as well as non-residents with Council having final approval of committee members.

**ACTION:** On motion of Mayor Voepel, seconded by Vice Mayor Minto, Council authorized the Council Subcommittee to solicit applications for a Charter Advisory Committee as described in the Staff Report with the provision that residents and non-residents will be eligible with Council having final approval of committee members with all voting aye, except Council Member Dale who voted no.

**(B) Happy Hearts for Hurting Heroes Help Build a Back Pack Program. (Jones)**

Council Member Jones presented the staff report. He introduced Andrea Stone, Rescue Task Force, who gave the Council a brief history and background of the organization. She was also available for questions.

**PUBLIC SPEAKERS:**

In Support – Warren Savage, Santee Chamber of Commerce

**ACTION:** On motion of Council Member Jones, seconded by Mayor Voepel, Council authorized appropriation of \$2,200 from the City Council Contributions account in support of Happy Hearts for Hurting Heroes Help Build a Back Pack program with all voting aye.



**5. CONTINUED BUSINESS:** None

**6. NEW BUSINESS:**

**(A) Possible Cancellation of a Regular City Council Summer Meeting.**

Mayor Voepel discussed canceling the August 22, 2007 Regular meeting to allow time for the new voting system to be installed.

**ACTION:** On motion of Mayor Voepel, seconded by Council Member Jones, the Regular meeting of August 22, 2007 was cancelled and the City Clerk directed to post appropriate notices with all voting aye.

**7. COMMUNICATION FROM THE PUBLIC:**

(A) Jean Carnley discussed challenges faced by Santee pedestrians.

(B) John Lee and Dale Kelley spoke in regards to the vehicle abatement policy.

**8. CITY MANAGER REPORTS:**

City Manager Till congratulated the Sheriff's Department Gang Suppression Unit for a successful sweep of gang related activities.

**9. COMMUNITY DEVELOPMENT COMMISSION:**

(Note: Minutes appear as Item 1B)

**10. SANTEE PUBLIC FINANCING AUTHORITY:**

(Note: Minutes appear as Item 1B)

**11. CITY ATTORNEY REPORTS:** None

Council Members recessed at 9:01 p.m. and convened in Closed Session at 9:10 p.m. with all Members present.

**12. CLOSED SESSION:**

**(A) CONFERENCE WITH LABOR NEGOTIATOR**

(Gov. Code section 54957.6)

Agency Designated Representatives: City Manager

Unrepresented Employees: All Full-Time Miscellaneous & Management  
Employees

Council Members reconvened in Open Session at 9:31 p.m. with all Members present. Mayor Voepel noted the item had been discussed and direction given to staff.

**13. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:32 p.m. in Memory of Marine Major Douglas Zembiec.

Date Approved:

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Linda Troyan, Commission Secretary  
and for Authority Secretary Keith Till

**MEETING DATE**

June 13, 2007

**AGENDA ITEM NO. 1C****ITEM TITLE**      PAYMENT OF DEMANDS**DIRECTOR/DEPARTMENT**

Tim K. McDermott/Finance

**SUMMARY**

A listing of checks that have been disbursed since the last Council meeting is submitted herewith for approval by the City Council.

**FINANCIAL STATEMENT**

Adequate budgeted funds are available for the payment of demands per the attached listing.

**RECOMMENDATION**

Approval of the payment of demands as presented.

**ATTACHMENTS (Listed Below)**

- 1) Payment of Demands-Summary of Checks Issued
- 2) Disbursement Journal

Payment of Demands  
Summary of Checks Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
05/18/07	Accounts Payable	\$ 312,325.19
05/23/07	Accounts Payable	563,762.91
05/24/07	Payroll	415,595.70
05/30/07	Accounts Payable	2,022,762.54
06/07/07	Payroll	<u>435,700.44</u>
	TOTAL	<u>\$3,750,146.78</u>

I hereby certify to the best of my knowledge and belief that the foregoing demands listing is correct, just, conforms to the approved budget, and funds are available to pay said demands.

\_\_\_\_\_  
Tim K. McDermott, Director of Finance

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO.** 1D

**ITEM TITLE** APPROVAL OF THE EXPENDITURE OF \$117,722.03 TO PAY FOR  
APRIL 2007 LEGAL SERVICES AND RELATED COSTS

**DIRECTOR/DEPARTMENT** Tim K. McDermott/Finance

**SUMMARY**

Legal service billings proposed for payment for the month of April 2007 total \$117,722.03 as follows:

- 1) General Retainer Services - \$13,327.36
- 2) Labor & Employment - \$5,795.45
- 3) Litigation & Claims - \$9,179.73
- 4) Special Projects (General Fund) - \$18,730.90 (includes \$3,240.00 in outside consultant services for the MSCP Subarea Plan)
- 5) Community Development Commission - \$9,571.90 (includes \$8,765.00 in outside consultant services for the Las Colinas expansion matter)
- 6) Community Development Commission – Housing (MHFP litigation) - \$26,965.86
- 7) Applicant Initiated Projects (paid from developer deposits) - \$34,150.83

**FINANCIAL STATEMENT**

Account Description: Legal Services

Account Number: Various accounts

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Original Budget	\$326,000.00	
Revised Budget	465,000.00	
Prior Expenditures	(374,916.04)	
Current Request	( 47,033.44)	\$ 43,050.52
Special Services (excluding applicant initiated items):		
Original Budget	\$ 232,000.00	
Revised Budget	338,084.50	
Prior Expenditures	(255,786.47)	
Current Request	( 36,537.76)	\$ 45,760.27

**RECOMMENDATION**

Approve the expenditure of \$117,722.03 for April 2007 legal services and related costs.

**ATTACHMENTS (Listed Below)**

- 1) Legal Services Billing Summary

**MEETING DATE**

**JUNE 13, 2007**

**AGENDA ITEM NO. 1E**

**ITEM TITLE**      **AUTHORIZATION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO BIRMINGHAM PRESS TO PUBLISH THE SANTEE REVIEW**

**DIRECTOR/DEPARTMENT**      John W. Coates, Community Services

**SUMMARY**

Birmingham Press currently publishes the Santee Review. In the last three years, the newsletter has received three statewide awards.

Birmingham Press has quoted a price to publish four (4) issues for FY07-08 at a cost not to exceed \$15,358 per issue. Birmingham has also quoted a price to publish four (4) issues for FY 08-09 at a cost not to exceed \$15,848 per issue. Staff is requesting the City Council authorize the City Manager to execute the contract for FY 07-08 and authorize the City Manager to approve the renewal of the contract for FY08-09, should the City opt to do so. The FY07-08 amount to publish four issues is not to exceed \$61,432.00. The FY08-09 amount to publish four issues is not to exceed \$63,392.00.

**FINANCIAL STATEMENT**

Funding for the contract is included in the FY 07-08 and FY 08-09 proposed budget. The contract will be funded by a combination of Community Development Block Grant funds, the Recreation Revolving fund and the General Fund.

**RECOMMENDATION**

Authorize the City Manager to execute the contract for FY 07-08 and authorize the City Manager to approve renewal of the contract for FY08-09, should the City opt to do so.

**ATTACHMENTS (Listed Below)**

None

**MEETING DATE**

June 13, 2007

**AGENDA ITEM NO. 1F****ITEM TITLE**

**APPROVE UTILIZATION OF COUNTY OF SAN DIEGO  
COOPERATIVE CONTRACT NO. 519042 FOR CITY-WIDE  
PURCHASE OF OFFICE SUPPLIES BEGINNING FY07/08**

**DIRECTOR/DEPARTMENT**

Tim McDermott, Finance Department

**SUMMARY**

The City's purchasing Ordinance allows for "cooperative" purchasing or joining of another public agency's competitive bid in order to capitalize on competitive pricing. In March 2007, the City participated in a cooperative bid process administered by the County of San Diego for office supplies, multi-purpose paper and toner cartridges. Based on the requirements for lowest responsive responsible bidder, the County of San Diego awarded the contract to Corporate Express [Ref: County of San Diego Contract No. 519042] for a contract term of July 1, 2007 through June 30, 2008 with four (4) one-year options to renew.

Staff recommends utilizing this contract for City-wide purchase of office supplies, multi-purpose paper and toner cartridges beginning FY07/08. The total estimated annual expenditure for such items is \$35,000.00.

**FINANCIAL STATEMENT**

Sufficient funds are appropriated in each department's materials & supplies and printing, binding & imaging budgets.

**RECOMMENDATION**

Approve utilization of County of San Diego Contract No. 519042 for City-wide purchase of office supplies, multi-purpose paper and toner cartridges beginning FY07/08; and authorize City Manager to approve up to four (4) one-year contract renewals should the County of San Diego opt to do so.

**ATTACHMENTS (Listed Below)**

None

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO. 1G**

**ITEM TITLE** APPROVE CHANGE ORDER TO THE CONTRACT FOR SIGNAL MAINTENANCE.

**DIRECTOR/DEPARTMENT** Gary Halbert, Development Services

**SUMMARY:**

This item requests City Council approve a change order to Republic, ITS contract for additional expenditures for traffic signal equipment replacement.

This request is made due to the unexpected destruction of a traffic signal controller and power supply cabinet at Mission Gorge Road and West Hills Parkway. Several traffic signal controllers and other controller equipment have already been replaced this fiscal year in the course of routine maintenance. The controller at Mission Gorge Road and West Hills Parkway had recently been replaced, approximately six months ago, due to burn out of the controller related to it's age. Recently, this same traffic signal controller and power supply cabinet were damaged beyond repair by an errant driver in a hit and run accident.

The destruction was hit and run and we do not anticipate recovery of any of the costs.

**ENVIRONMENTAL REVIEW**

Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301 (Class 1 Exemption).

**FINANCIAL STATEMENT**

Sufficient funds are available in the FY 06-07 Highway User's Tax budget to cover the \$35,000 change order.

**RECOMMENDATION**

Authorize the City Manager to execute a change order to the existing contract with Republic ITS in the amount of \$ 35,000.

**ATTACHMENTS (Listed Below)**

None.



**MEETING DATE**

June 13, 2007

**AGENDA ITEM NO.****ITEM TITLE**

CLAIM AGAINST THE CITY BY AT&amp;T/PACIFIC BELL

**DIRECTOR/DEPARTMENT**

Jodene Dunphy, Human Resources Director

**SUMMARY**

A claim was filed against the City by AT&T/Pacific Bell. This claim has been reviewed by the City's Claims Administrator prior to bringing it forward for consideration. The Claims Administrator recommends the claim be rejected as provided in Government Code Section 913. The claim has been tendered to the appropriate agency.

The claim documents are on file in the Office of the City Clerk for Council reference.

**FINANCIAL STATEMENT**

Sufficient funds for Claims Administration are budgeted in the Risk Management Claims Administration Account.

**ACCOUNT NO.** 010.0417.002148

**RECOMMENDATION**

Reject claim as per Government Code Section 913.

**ATTACHMENTS (Listed Below)**

None

**MEETING DATE**     JUNE 13, 2007

**AGENDA ITEM NO.** 11

**ITEM TITLE**            AUTHORIZATION TO AWARD UP TO 90 DAY CONTRACT  
EXTENSION FOR STREET SWEEPING SERVICES, RFB AS01/02-01

**DIRECTOR/DEPARTMENT**     John W. Coates, Community Services

**SUMMARY**

The City's contract for Street Sweeping Services will expire on June 30, 2007 and has no remaining options to renew. The contract was initially bid in 2001 and was awarded to Cannon Pacific Services, Inc. In compliance with the City's purchasing ordinance, the Finance Department will administer a formal bid process to implement a new contract within the next month. In the meantime, staff would like to exercise a one-time option to renew the contract up to ninety days to continue services until the new contract is in place. This extension will begin on July 1, 2007 and continue up to ninety days.

**FINANCIAL STATEMENT**

Funding for this contract extension is in the FY07/08 budget.

**RECOMMENDATION**

Authorize the City Manager to execute an extension for Street Sweeping Services with Cannon Pacific Services for up to ninety days in an amount not to exceed \$43,500.

**ATTACHMENTS**

None

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO. 2A**

**ITEM TITLE** PUBLIC HEARING FOR THE FY2007-08 TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

**DIRECTOR/DEPARTMENT** Tim K. McDermott, Director of Finance

**SUMMARY** Tonight's Public Hearing for the Town Center Landscape Maintenance District ("TCLMD") FY2007-08 annual levy of assessments is the third and final in the annual assessment process. On April 25, 2007, Council initiated proceedings and ordered an Engineer's Report for TCLMD's annual levy of assessments. During the May 23, 2007 meeting, Council accepted the Engineer's Report and set tonight's meeting for the required Public Hearing.

Established in late 1987, TCLMD was originally comprised of parcels immediately contiguous to Town Center Parkway. In FY1989-90, TCLMD was expanded to include the 89-unit The Lakes Condominiums. In FY1990-91, TCLMD annexed the 36-home San Remo Subdivision. In FY1992-93, TCLMD annexed the mixed-use development called Mission Creek. FY2003-04 saw the annexation of Trolley Square and The Hartford property. In FY2006-07, the 218 unit Riverwalk Subdivision was annexed. TCLMD now has seven separate zones - A through G - each with their own unique landscaping and subsequent assessments.

Trolley Square, The Hartford, and Riverwalk provide their own maintenance, and though in TCLMD they are not assessed. If not maintained to City standards, the City can assume these zones' maintenance responsibilities and assess the property owners accordingly.

FY2007-08's proposed assessments have remained the same in The Lakes Condominiums and San Remo Subdivision.

Based on projected increases in maintenance costs, the proposed assessments have increased in Town Center Parkway and Mission Creek. Town Center Parkway is a commercial zone and Mission Creek is a zone consisting of residential and commercial uses. The two zones have not seen an increase in assessments since FY2004-05. The proposed assessment in Town Center Parkway reflects an increase of \$247.53 per acre over the prior year assessment. The proposed assessments in Mission Creek reflect an increase of \$24.32 per residential unit and \$496.26 per acre over the prior year assessments

**FINANCIAL STATEMENT**

\$289,597 will be assessed upon property owners to cover TCLMD costs. This assessment is augmented by General Fund funding of \$3,700 and Gas Tax Funding of \$25,940.

**RECOMMENDATION**

Conduct and close Public Hearing, and adopt Resolution.

**ATTACHMENTS (Listed Below)**

Resolution

Engineer's Report

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE  
CONFIRMING AN ASSESSMENT MAP AND ASSESSMENT AND PROVIDING FOR THE  
FY2007-08 TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT  
ANNUAL LEVY OF ASSESSMENTS**

---

**WHEREAS**, the City Council of the City of Santee, has initiated proceedings for the annual levy of the assessments for a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in a district known and designated as **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** ("District"); and

**WHEREAS**, the City Council has ordered the preparation of an Engineer's Report ("Report") and the Director of Finance filed with this City Council said Report pursuant to the Law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the next ensuing fiscal year relating to the District, and further did proceed to give notice to the time and place for a Public Hearing on all matters relating to said annual levy of the proposed assessment; and

**WHEREAS**, at this time this City Council has heard all testimony and evidence, and is desirous of proceeding with said annual levy of assessments.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That upon the conclusion of the Public Hearing, written protests filed and not withdrawn did not represent property owners owning more than fifty percent of the area of assessable lands within the District, and said protests are overruled and denied.

**SECTION 3.** That this City Council hereby confirms the assessment map and assessment as submitted and orders the annual levy of the assessment for maintenance of improvements for the ensuing fiscal year and in the amounts as set forth in the Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

**SECTION 4.** That the assessment map and assessment for maintenance of improvements as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

**SECTION 5.** That the adoption of this Resolution constitutes the levy of the assessment for the Fiscal Year 2007-08.

**SECTION 6.** That the estimates of costs, the assessment map, the assessments and all other matters as set forth in the Report, pursuant to the Law, as submitted, are hereby approved, adopted and confirmed by this City Council.

**SECTION 7.** That the maintenance of improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County of San Diego Auditor shall enter on the County of San Diego Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County of San Diego, the net amount of the assessment shall be paid to the

Director of Finance of said City.

**SECTION 8.** That the City Treasurer will establish a special fund known as the **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** into which the Director of Finance shall place all monies collected by the County of San Diego Tax Collector pursuant to the provisions of this Resolution and law and said transfer shall be made and accomplished as soon as said monies have been made available to said Director of Finance.

**SECTION 9.** That the City Clerk is hereby ordered and directed to file a certified copy of the assessment map and assessment roll with the County of San Diego Auditor, together with a certified copy of this Resolution upon its adoption.

**SECTION 10.** That a certified copy of the assessment map and assessment roll shall be filed in the office of the Director of Finance, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

**ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
**RANDY VOEPEL, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**LINDA A. TROYAN, CITY CLERK**



***ENGINEER'S REPORT***

***FOR***

***SANTEE TOWN CENTER  
LANDSCAPE MAINTENANCE DISTRICT***

***Fiscal Year 2007-08***

***Prepared for:***

***CITY OF SANTEE***

***Prepared by:***



**Harris & Associates<sup>SM</sup>**

***May 16, 2007***

***ENGINEER'S REPORT***

***FOR***

***SANTEE TOWN CENTER  
LANDSCAPE MAINTENANCE DISTRICT***

***Fiscal Year 2007-08***

***Prepared for:***

***CITY OF SANTEE***

***Prepared by:***



**Harris & Associates<sup>SM</sup>**

***May 16, 2007***



# Harris & Associates

Program Managers  
Construction Managers  
Civil Engineers

May 16, 2007

Mr. Brian Seinturier  
Finance Manager  
City of Santee  
10601 Magnolia Avenue  
Santee, CA 92071

**Subject: Engineer's Report for Santee Town Center Landscape  
Maintenance District Fiscal Year 2007-08**

Dear Mr. Seinturier:

Enclosed please find the Engineer's Report and the following Executive Summary for the Santee Town Center Landscape Maintenance District in accordance with the Landscape and Lighting Act of 1972 and Article XIID of the California Constitution. The Report has been prepared separating the District into six zones: Zones A, B, C, D, E and F. Zones A, B, C, D, E and F include all areas within last year's District, and have been updated to reflect the current parcel information.

## EXECUTIVE SUMMARY

The methodology for benefit assessment for all zones in the District has not changed for Fiscal Year 2007-08. The percentage distribution in Zone A has been maintained. The Report recommends that the parcels in that zone pay a proportionate share based on area. Therefore, the 13.6% area has a benefit assessment of \$20,723.66. The 71.1% area has a benefit assessment of approximately \$2,705.80/acre. The benefit assessment for Zone B is estimated at \$84.48/unit and the benefit assessment for Zone C is estimated at \$218.22/unit.

The benefit methodology for Zone D implemented in Fiscal Year 1995-96 to account for the various land uses within the Zone has been maintained. Zone D contains a Commercial Subzone and a Residential Subzone. The benefit assessment for Zone D is estimated at \$538.06/EDU for the Commercial Subzone and \$266.80/EDU for the Residential Subzone. EDUs in the Commercial Subzone are converted into acres to arrive at an equivalent cost of \$4,842.54/acre.

The maximum benefit assessment for Zone E is estimated at \$4,262.17/adjusted acre, for Zone F is estimated at \$3,031.36/acre, and for Zone G is estimated at \$119.42. No assessment will be levied in Zones E, F and G for the fiscal year 2007-08 as the property owners' associations have maintained the improvements to a level satisfactory to the City.



The City Council should be advised that the 1972 Act allows the governing body to adjust assessment rates as it may direct at the approval stage or at the public hearing. Therefore, the rates indicated herein are recommended by the engineer but are not confirmed until approved by the governing body.

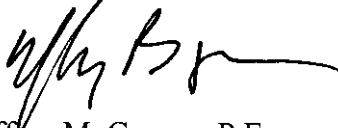
The governing body can no longer overturn a majority protest. If a majority protest exists for a new assessment, the local agency cannot levy the assessment. If a majority protest exists for an increase in an existing assessment, the increase cannot be collected, but the base amount (the amount levied last fiscal year) can continue to be levied.

Once the Report has been approved by the City Council and the public hearing process has been completed, the final assessment information will be provided to the County of San Diego for inclusion on the property tax bills.

We appreciate the cooperation the City of Santee has shown during the course of our work. If we can be of further assistance, please give us a call.

Sincerely,

**HARRIS & ASSOCIATES**

A handwritten signature in black ink, appearing to read 'Jeffrey M. Cooper', written over a horizontal line.

Jeffrey M. Cooper, P.E.  
Senior Vice President

# TABLE OF CONTENTS

	<u>PAGE</u>
LETTER OF TRANSMITTAL	i
TABLE OF CONTENTS	iii

\* \* \* \* \*

1.	DESCRIPTION OF DISTRICT AND FACILITIES	1
2.	PROPOSED DISTRICT BUDGET	7
3.	BASIC DATA AND FINDINGS	10
4.	ASSESSMENT METHODOLOGY	14
5.	ASSESSMENT DETERMINATION	20
6.	ASSESSMENT DIAGRAMS	32

# SECTION 1

## DESCRIPTION OF DISTRICT AND FACILITIES

### A. NAME

The District is entitled “Santee Town Center Landscape Maintenance District.”

### B. BOUNDARY

The District consists of six zones: Zone A, Zone B, Zone C, Zone D, Zone E and Zone F.

#### **Zone A – Town Center**

The boundaries of Zone A of the Assessment District include all parcels of land included in Parcel Map 14764 as filed with the San Diego County Recorder’s Office and a portion of Cuyamaca Street that is adjacent to Parcel Map 14764. Assessor’s parcel numbers 381-041-01 through 381-041-05, 381-041-07, 381-041-09, 381-041-12 through 381-041-15, 381-041-18 through 381-041-20, and 381-041-23 through 381-041-39 have been assigned. Exact dimensions of each parcel are shown on the San Diego County Assessor’s Maps.

#### **Zone B – The Lakes**

The boundaries of Zone B of the Assessment District include all subparcels of land included in Tract Map 11919 as filed with the San Diego County Recorder’s Office. Assessor’s parcel numbers 381-032-13-01 through 381-032-13-89 have been assigned. Exact dimensions are shown on the San Diego County Assessor’s Maps.

#### **Zone C – San Remo**

The boundaries of Zone C of the Assessment District include all parcels of land included in Tract 12511 as filed with the San Diego County Recorder’s Office. Assessor’s parcel numbers 381-310-50 through 381-310-54, 381-310-56, 381-310-58 through 381-310-85, 381-310-89, and 381-310-91 have been assigned. Exact dimensions of each parcel are shown on said record map.

#### **Zone D – Mission Creek**

The boundaries of Zone D of the Assessment District include all parcels of land included in the proposed Mission Creek Tract Map No. 89-06. The existing parcels to be assessed during fiscal year 2007-08 include Assessor’s Parcel Numbers 381-681-13-01 through 381-681-13-90, 381-681-17-01 through 381-681-17-55, 381-681-18, 381-681-19-01 through 381-681-19-53, 381-681-20-01 through 381-681-20-33, 381-682-21 through 381-682-25, 381-700-01 through 381-700-47, 381-701-01 through 381-701-59, 381-702-01 through 381-702-67 and 381-702-73 through 381-702-80 inclusive. Exact dimensions of each parcel are shown on the San Diego County Assessor’s Maps.



### **Zone E – Trolley Square**

The boundaries of Zone E of the Assessment District include all parcels of land included in Parcel Map 18857 as filed with the San Diego County Recorder's Office. Assessor's parcel numbers 381-052-01 through 381-052-12 have been assigned. Exact dimensions are shown on the San Diego County Assessor's Maps.

### **Zone F – Hartford Property**

The boundaries of Zone F of the Assessment District include all parcels of land included on City of Santee Improvement Drawing Nos. 2002-400 thru 2002-422. A portion of Assessor's parcel number 381-050-54 is included in this zone (see the Assessment Diagram in Section 6 for location).

### **Zone G – Riverwalk**

The boundaries of Zone G of the Assessment District include all parcels of land included in Tract Map 04-01 as filed with the San Diego County Recorder's Office. Assessor's parcel numbers 381-740-01 through 381-740-62, 381-741-01 through 381-741-71, and 381-742-01 through 381-742-85 have been assigned. Exact dimensions are shown on the San Diego County Assessor's Maps.

## **C. FACILITIES – LANDSCAPE IMPROVEMENTS**

Landscaping facilities or improvements are defined as landscaping within public streets and public rights-of-way and easements, their appurtenances and the costs of installing, operating and maintaining them.

Improvements to be performed generally consist of maintenance of median and right-of-way landscaping, including but not limited to personnel costs, electrical energy, water, materials, contracting services and other items necessary for the satisfactory delivery of these services. The following are the facilities to be maintained for each zone:

### **Zone A – Town Center**

1. Medians within Town Center Parkway.
2. Open space and landscape easements as shown on Parcel Map 14764, Parcel Map 15601 and Parcel Map 17063.
3. Public alleyways within the boundaries of the District.
4. Public walkways and pathways within the District.

### **Zone B – The Lakes**

1. Public walkways and landscape easements as shown on Tract Map No. 11919.



2. Walkways and parkway landscaping within the public right-of-way on Palm Glen Drive and Magnolia Avenue adjacent to Tract Map No. 11919.

#### **Zone C – San Remo**

1. Public walkways and soundwalls on Mast Boulevard adjacent to Tract Map No. 12511.
2. Open space, landscape and drainage easements as shown on Tract Map No. 12511.

#### **Zone D – Mission Creek**

1. Landscape easements, public access, walkways and parkways throughout the Mission Creek development.
2. Western bike path.
3. Entrance monuments on the corners of Cuyamaca Street and River Park Drive.
4. San Diego River Channel improvements (i.e., Linear Park, Pedestrian Bridge, Riparian Habitat, etc.)
5. Landscape easements, public access, walkways and parkways at Commercial Unit No. 3.
6. Landscape easements, public access, walkways and parkways at Residential Units 1 and 2.
7. Landscape easements, public access, walkways and parkways at the Mission Creek Townhomes.
8. Landscape easements, public access, walkways and parkways at the Mission Creek Cluster Homes.

#### **Zone E – Trolley Square**

1. Landscape, maintenance and access easements as shown on Parcel Map 18857.
2. Parkway landscaping and appurtenances within the public right-of-way on the north side of Mission Gorge Road between Cuyamaca Street and Civic Center Drive.
3. Parkway landscaping and appurtenances within the public right-of-way on the west side of Civic Center Drive between Mission Gorge Road and Street B.



4. Parkway landscaping and appurtenances within the public right-of-way on the south side of Street B between Civic Center Drive and Town Center Parkway.
5. Parkway landscaping and appurtenances within the public right-of-way on the south side of Town Center Parkway between Street B and Cuyamaca Street.
6. Parkway landscaping and appurtenances within the public right-of-way on the east side of Cuyamaca Street between Town Center Parkway and Mission Gorge Road.
7. Water feature at corner of Cuyamaca Street and Mission Gorge Road.
8. Water feature at corner of Mission Gorge Road and Civic Center Drive.
9. Water feature at the north end of the trolley station.

#### **Zone F – Hartford Property**

1. Landscape, maintenance and access easements as shown on City of Santee Improvement Drawing Nos. 2002-400 thru 2002-422.
2. Parkway landscaping and appurtenances within the public right-of-way on the north side of Mission Gorge Road between Willow Avenue and Civic Center Drive.
3. Parkway landscaping and appurtenances within the public right-of-way on the east side of Civic Center Drive between Mission Gorge Road and Street B.

#### **Zone G – Riverwalk**

1. Landscaping along Riverwalk Drive and Park Center Drive adjacent to the site and the entrance to the Riverwalk project (approximately 22,259 SF).

### **D. IMPACTS OF PROPOSITION 218**

On November 5, 1996 California voters approved Proposition 218 entitled “Right to Vote on Taxes Act” which added Article XIID to the California Constitution. Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts. Proposition 218 also requires, with certain specified exceptions, that all existing assessment districts must be ratified by the property owners within the District using the new procedures.

Some of these exceptions include:

- 1) Any assessment imposed exclusively to finance the capital cost or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control.

- 2) Any assessments levied pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

However, even if assessments are initially exempt from Proposition 218, if the assessments are increased in the future, the City will need to comply with the provisions of Proposition 218 for that portion of the increased assessment unless the increase in assessment was anticipated in the assessment formula (e.g., CPI increase).

Proposition 218 does not define the term “streets”, however, based on our conversations with other public agency officials, attorneys, assessment engineers and the draft version of AB 1506, entitled “Proposition 218 Implementation”, we have determined that streets include all public improvements located within the street right-of-way. This would include median and parkway landscaping, traffic signals, safety lighting and street lighting.

We have also found agencies stating that if assessments were imposed as a condition of development and property owners agreed to the imposition of assessments and subsequently signed a development agreement confirming so, then this would suffice for the requirement of signing a petition.

The more difficult question arises in those situations where the levy of assessments was imposed as a condition of approval for land development or subdivision where the property owner did not enter into a development agreement. In this case, if the landscaping or street light facilities and the resulting assessment is a condition of the land development or subdivision’s approval and the property owner acquiesces to the levy of assessment, it is reasoned that this is a functional equivalent of giving express consent or signing a petition requesting the imposition of the assessment. Even the Howard Jarvis Taxpayers’ Association seems to tacitly support this conclusion in its “Statement of Drafter’s Intent”. When discussing the exemption for existing assessments imposed pursuant to a petition, the taxpayers’ association said:

“This provision exempts most land secured financing arrangements used by developers.”

Clearly acceptance of a condition of approval of a development or subdivision which requires that imposition of assessments is a common form of land secured financing used by developers to fund street lighting or landscape maintenance.

Based on the interpretations described above, the existing Santee Town Center Landscape Maintenance District assessments comply with the provisions of Proposition 218 for the following reasons:

- 1) Benefit Zones A, B, C, E, F and G were established to assess property owners for the operation and maintenance of parkway landscaping for the Santee Town Center Commercial area, the Lakes subdivision, the San Remo subdivision, the Trolley Square area, the Hartford Property area, and the Riverwalk subdivision. These improvements are all located within the street right-of-way and were a condition of development or resolution of

approval. The property owners accepted the benefits of development approvals subject to the assessment requirement and acquiesced to subsequent impositions of assessments.

- 2) Benefit Zone D was established to assess property owners for the operation and maintenance of parkway landscaping and flood control improvements for the Mission Creek area. These improvements were a condition of development or resolution of approval. The property owners accepted the benefits of development approvals subject to the assessment requirement and acquiesced to subsequent imposition of assessments.





## SECTION 2

### PROPOSED DISTRICT BUDGET

The 1972 Act provides that the total cost of installation, construction, maintenance and servicing of the public landscaping and park facilities can be recovered by the District. Maintenance can include the repair and/or replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the formation and maintenance of the District can also be included.

The estimated expenditures for maintenance and the assessments to be levied for Fiscal Year 2007-08 under consideration for this report have been provided by the City and are as follows for each zone.

#### Zone A – Town Center

Yearly Maintenance Cost Estimate	\$173,920
Contingency	3,893
Engineering and Administration	21,250
City of Santee's Contribution*	<u>(25,937)</u>

**Total Estimated Budget for Zone A,  
For Fiscal Year 2007-08 (Rounded)                      \$173,126**

Reserve Requirement	86,563
Developer Contributions	0
Less Total Available (FY 2006-07 End Balance)	<u>(130,625)</u>

**Total Estimated Assessment for Zone A,  
For Fiscal Year 2007-08 (Rounded)                      \$129,064**

- \* The City's contribution is for the cost of maintaining the Town Center street monuments, median islands, and certain rights-of-way within the District. The City's contribution for maintenance of these items, estimated at \$25,937 including contingencies, is included in the Gas Tax Fund of the Maintenance Division Budget.

#### Zone B – The Lakes

Yearly Maintenance Cost Estimate	\$10,620
Contingency	7,222
Engineering and Administration	<u>1,700</u>

**Total Estimated Budget For Zone B,  
For Fiscal Year 2007-08 (Rounded)                      \$19,542**

Reserve Requirement	9,771
Less Total Available (FY 2006-07 End Balance)	<u>(21,795)</u>

**Total Estimated Assessment for Zone B,  
For Fiscal Year 2007-08 (Rounded)                      \$7,518**



**Zone C – San Remo**

Yearly Maintenance Cost Estimate	\$10,060
Engineering and Administration	<u>1,500</u>
<b>Total Estimated Budget for Zone C, For Fiscal Year 2007-08 (Rounded)</b>	<b>\$11,560</b>
Reserve Requirement	0
Less Total Available (FY 2006-07 End Balance)	<u>(3,704)</u>
<b>Total Estimated Assessment for Zone C, For Fiscal Year 2007-08 (Rounded)</b>	<b><u>\$7,856</u></b>

**Zone D – Mission Creek**

Yearly Maintenance Cost Estimate	
San Diego River Improvements (linear park, riparian habitat, pedestrian bridge, etc.)	\$94,926
Residential Subzone (including the Western Bike Path, Residential Units 1 & 2, the Townhomes, and the Cluster Homes)	58,508
Commercial Unit No. 3	31,426
Engineering and Administration	<u>21,000</u>
<b>Total Estimated Budget for Zone D, For Fiscal Year 2007-08 (Rounded)</b>	<b>\$205,860</b>
Reserve Requirement	60,056
Developer Contributions	0
Less Total Available (FY 2006-07 End Balance)	<u>(120,757)</u>
<b>Total Estimated Assessment for Zone D, For Fiscal Year 2007-08 (Rounded)</b>	<b><u>\$145,159</u></b>

**Zone E – Trolley Square**

No assessment will be levied for the fiscal year 2007-08 as the property owners' association has maintained the improvements to a level satisfactory to the City.

**Zone F – Hartford Property**

No assessment will be levied for the fiscal year 2007-08 as the property owners' association has maintained the improvements to a level satisfactory to the City.

**Zone G – Riverwalk**

No assessment will be levied for the fiscal year 2007-08 as the property owners' association has maintained the improvements to a level satisfactory to the City.



The total estimated assessment for the fiscal year 2007-08 is as follows:

Zone A	\$129,064
Zone B	7,518
Zone C	7,856
Zone D	145,149
Zone E	0
Zone F	0
Zone G	<u>0</u>
<b>Total Assessment</b>	<b><u>\$289,587</u></b>

In some cases, the reserve shown above is above the 50% maximum allowed by the Act. However, in order to provide rate stabilization, the City will be reducing reserve annually over the course of the next 3 years to achieve a reserve less than or equal to 50%.

## SECTION 3

### BASIC DATA AND FINDINGS

#### Zone A – Town Center

##### **A. Basic Data**

Data has been compiled from the County Assessor's maps, Development Services Department records, and a field review.

- |    |                                |             |
|----|--------------------------------|-------------|
| 1. | Total Land Area to be Assessed | 54.53 Acres |
| 2. | Total Assessable Parcels       | 30          |
| 3. | Zoning                         | Commercial  |

##### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone A, all parcels are zoned for commercial usage. Assessor Parcel 381-041-18 is designated as a public street and is exempt from assessment.

#### Zone B – The Lakes

##### **A. Basic Data**

Data has been compiled from the County Assessor's Maps, Development Services Department records, and a field review.

- |    |                          |             |
|----|--------------------------|-------------|
| 1. | Total Assessable Parcels | 89          |
| 2. | Zoning                   | Residential |

##### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone B, all parcels are zoned for residential usage. All parcels share an equal benefit in landscape areas that are adjacent to Palm Glen Drive and Magnolia Avenue.



## **Zone C – San Remo**

### **A. Basic Data**

Data has been compiled from the County Assessor's Maps, Development Services Department records, and a field review.

- |    |                  |             |
|----|------------------|-------------|
| 1. | Total Assessable | 36          |
| 2. | Zoning           | Residential |

### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone C, all parcels are zoned for residential usage. All parcels share an equal benefit in landscaped areas and are accessible from Mast Boulevard.

## **Zone D – Mission Creek**

### **A. Basic Data**

Data has been compiled from the County Assessor's Maps, Development Services Department, TM 89-06, and a field review.

- |    |               |   |     |
|----|---------------|---|-----|
| 1. | Total Parcels | - single family                             | 181 |
|    |               | - multi-family                              | 231 |
|    |               | - commercial                                | 3   |
|    |               | - vacant commercial                         | 2   |
|    |               | - exempt                                    | 1   |
| 2. | Zoning        | Residential,<br>Multi-Family,<br>Commercial |     |

### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone D, the property has been designated for single family residential, multi-family residential and commercial usage. All parcels will be assessed a fair and equitable portion of the landscape improvements benefiting the properties.



## **Zone E – Trolley Square**

### **A. Basic Data**

Data has been compiled from the County Assessor's maps, Development Services Department records, and a field review by the Assessment Engineer.

- |    |                                |             |
|----|--------------------------------|-------------|
| 1. | Total Land Area to be Assessed | 44.43 Acres |
| 2. | Total Assessable Parcels       | 12          |
| 3. | Zoning                         | Commercial  |

### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone E, all parcels are zoned for commercial usage. There are no public properties in Zone E that benefit from the improvements.

## **Zone F – Hartford Property**

### **A. Basic Data**

Data has been compiled from the County Assessor's maps, Development Services Department records, and a field review by the Assessment Engineer.

- |    |                                |            |
|----|--------------------------------|------------|
| 1. | Total Land Area to be Assessed | 7.97 Acres |
| 2. | Total Assessable Parcels       | 1          |
| 3. | Zoning                         | Commercial |

### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone F, all parcels, with the exception of one, are zoned for commercial usage. There is one (1) public property in Zone F that benefits from the improvements.

## **Zone G– Riverwalk**

### **A. Basic Data**

Data has been compiled from the County Assessor's maps, Development Services Department records.

1.	Total Assessable Lots	218
2.	Zoning	Residential
3.	Total Proposed Dwelling Units	218

### **B. Findings**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of Zone G of the Santee Town Center Landscape Maintenance District, all parcels are zoned for residential usage for the current year. We have investigated the properties in Zone G and have determined that there are no public properties that benefit from the improvements. There are public streets, public rights-of-way, and easements within Zone G, but they do not benefit from the improvements.

## SECTION 4

### ASSESSMENT METHODOLOGY

#### GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which includes the maintenance of landscaping and the maintenance and operation of street lights.

The 1972 Act requires that maintenance assessment be levied according to benefit rather than according to assessed value. Section 22573 provides that:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefit to be received by each such lot or parcel from the improvements.”

The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California].”

In addition, Article XIID, Section 4(a) of the California Constitution limits the amount of any assessment to the proportional special benefit conferred on the property.

Because assessments are levied on the basis of benefit, they are considered a user’s fee, not a tax, and, therefore, are not governed by Article XIID of the California Constitution.

The Act also permits the designation of zones of benefit within any individual assessment district if “by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement” (S&H S22574). Thus, the 1972 Act requires the levy of a true “assessment” rather than a “special tax.” Excepted from the assessment would be the area of all public streets and right-of-way; all public parks, greenbelts and parkways.





## **SPECIAL BENEFIT DETERMINATION**

Trees, landscaping, trails, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade, access and enhancement of the desirability of the surroundings, and therefore increase property desirability and value. In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

“...there is no lack of opinion, based on general principals and experience and common sense, that parkways *do in fact add value* to property, even though the amount cannot be determined exactly.... Indeed, in most cases where public money has been spent for parkways the assumption has been definitely made that the proposed parkway will show a *provable* financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City,...

It should be noted that the definition of “parkways” above may include the roadway as well as the landscaping along side the roadway.

The City of Santee considers the maintenance and upkeep of parkways and adjacent slopes to be the responsibility of the adjacent development due to the added beautification of the local community which extends to the perimeter of the development.

Improvements that provide a special benefit to an isolated group of parcels of land located within the District are considered to be a localized benefit, and the costs associated with these improvements are assessed to all assessable the parcels receiving the localized benefit. Localized benefits include the construction, operation, servicing and maintenance of the improvements that only benefit the parcels located within the localized areas.

**Localized Landscaping** – Parcels that have localized landscaping such as entryway landscaping, parkway landscaping, etc. adjacent to or near their parcels directly benefit from the landscaping improvements and are assessed for the costs of the localized landscaping.

## **SPECIAL BENEFIT ZONES**

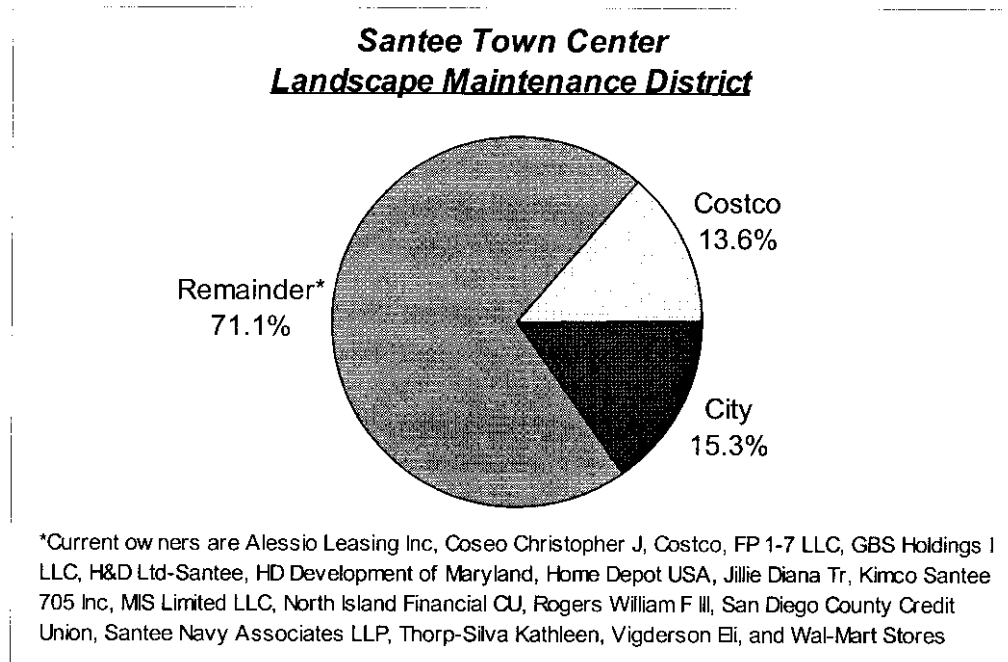
The Santee Town Center Landscape Maintenance District has seven (7) special benefit zones.

**Zones “A through G”** were established to accurately track and assess the costs associated with the localized landscaping improvements such as entryway landscaping and parkway landscaping, etc. for specific development sites. These improvements are only assessed to the parcels within the development sites that directly benefit from the improvements.

The method of spread for each zone is as follows:

### **Zone A – Town Center**

The method of spread for Zone A is based upon the percentage of square footage of landscaping, maintained in the right-of-way, adjacent to an individual property owner's property. The actual adjacent values have been calculated and percentages have been determined to be as indicated in the following figure for the District.



### **Zone B – The Lakes**

The method of spread for Zone B is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone B.

### **Zone C – San Remo**

The method of spread from Zone C is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone C.

## **Zone D – Mission Creek**

### **METHODOLOGY**

The methodology to be used to apportion the assessments to those parcels in Zone D, Mission Creek, will be based upon the special benefit received. Based upon a review of the proposed land uses for Tentative Map No. 87-01 (November 8, 1989) and Revised Illustrative Site Plan C (September 22, 1989), provided by City staff, it is recommended that the single family parcel be used as the basic unit of calculation for the assessments. Single family residential parcels account for approximately 60% of the proposed residential development within the project.

The following methodology has been developed to calculate the EDUs to be assigned to each lot or parcel within the Zone based on land use and parcel size.

**Single Family Residential.** The single family parcel was selected as the basic unit of calculation for the assessments, and is defined as one Equivalent Dwelling Unit (EDU). A methodology has been developed to calculate the EDUs for other residential land uses and for commercial/industrial parcels as described below based on land use and parcel size.

**Multi-Family Residential.** The EDUs for land zones for multi-family uses would be assessed 1 EDU per dwelling unit, e.g., a parcel with 100 condominium units would be assigned 100 EDUs.

**Vacant Residential.** The EDUs for parcels defined as residential but having no dwelling unit on them are calculated based on 1.8 EDUs per acre or any portion thereof, with a minimum of 0.20 EDU. This allocation was developed by dividing the average residential lot size in this project of 4,700 sq.ft. into 43,560 sq.ft. (1 acre) and then assigning twenty (20) percent of the calculated EDUs to the parcel (twenty percent estimates the ratio of land value to land value plus improvement).

**Commercial.** The EDUs for land zoned for commercial uses would be assigned at the rate of nine (9) EDUs per acre. This allocation has been developed by dividing the average residential lot size in this project of 4,700 sq.ft. into 43,560 sq.ft. (1 acre).

**Vacant Commercial.** Parcels defined as vacant commercial parcels would be assigned EDUs at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them.

The assessment per equivalent dwelling unit (cost per EDU) will be determined by dividing the total assessment to be levied by the total number of EDUs. The assessment for each parcel would be calculated by multiplying the parcel's number of EDUs by the cost per EDU.

### **BENEFIT ZONES**

In order to determine charges or rates based on the benefit(s) received by each lot or parcel, it is recommended that two subzones be established within Zone D, Mission Creek. Based on review of the proposed improvements and facilities to be maintained and operated by Zone D, a Residential Subzone (including single family and multi-family residential parcels) and a Commercial Subzone should be established.

The Zone-wide improvements include the San Diego River Channel improvements, consisting of the Linear Park, Pedestrian Bridge and Riparian Habitat. The San Diego River Channel improvements provide a special benefit to all parcels in the zone since the improvements border the entire project and were required by the conditions of development for the entire project. Therefore, the maintenance costs for these improvements are spread to all parcels in the zone.

The improvements at Commercial Unit No. 3, consisting of the maintenance of monuments on Cuyamaca Street and River Park Drive, landscape easements, public access, walkways and parkways provide a special benefit to the parcels in the Commercial Subzone since the improvements front the Commercial Subzone and were required by the conditions of development for the project.

The parcels in the Residential Subzone receive a special benefit from the maintenance of the western bike path and the improvements for Residential Units 1 and 2, the Mission Creek Townhomes and the Cluster Homes, which consist of entrance monuments, landscape easements, public access, walkways and parkways, since the improvements front the Residential Subzone and were required by the conditions of development for the project.

### **Zone E – Trolley Square**

The methodology to be used to apportion the assessments to those parcels in Zone E, Trolley Square, will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size.

**Commercial.** The benefit for land zoned for commercial uses would be assigned on a per acre basis, where one acre of commercial land equals one adjusted acre of commercial land.

**Vacant Commercial.** Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them. Therefore, one acre of vacant commercial land equals 0.20 adjusted acre of vacant commercial land.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the adjusted acreage. The assessment for each parcel would be calculated by multiplying the parcel's adjusted acreage by the cost per adjusted acre.

### **Zone F – Hartford Property**

The methodology to be used to apportion the assessments to those parcels in Zone F, Hartford Property, will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size.

**Commercial.** The benefit for land used for developed commercial/public uses would be assigned on a per acre basis.

**Vacant Commercial.** Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them, i.e. developed.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the acreage. The assessment for each parcel would be calculated by multiplying the parcel's acreage by the cost per acre.

### **Zone G – Riverwalk**

The method of spread from Zone G is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone G.

### **ANNUAL ASSESSMENT RATE INCREASES**

Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone A – Town Center, a maximum cap of \$3,092.00 per acre has been established for the 71.1% portion and \$1,627.00 per acre for the Costco portion. Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone D – Mission Creek, a maximum cap of \$286.00 per EDU has been established for the Residential Subzone and \$5,480.00 per acre for the Commercial Subzone.

The maximum assessment rate per acre for Zones E, F and G may be increased by 2% by City Council approval each year. Annually, the City Council will determine the operations and maintenance budgeting needs for each zone and determine the annual assessment. The annual assessment amount will not exceed these maximum rates unless a balloting process in compliance with Proposition 218 is completed. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone E (Trolley Square), the maximum assessment rate for FY 2007-08 will be \$4,262.17 per adjusted acre. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone F (Hartford Property), the maximum assessment rate for FY 2007-08 will be \$3,031.36 per acre. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone G (Riverwalk), the maximum assessment rate for FY 2007-08 will be \$119.42 per EDU.

## SECTION 5

### ASSESSMENT DETERMINATION

#### GENERAL

The following development of proposed assessment rates is based on the previously described methodology and utilizes data available from recorded Parcel Map 14764, Tract Map No. 11919, Tract Map No. 12511, Tract Map. No. 89-06 (Tentative Map No. 87-01), Parcel Map 18857, City of Santee Improvement Drawing Nos. 2002-400 thru 2002-422, Tract Map 04-01, and assessor's parcel information. Harris & Associates believes the data to be accurate. Final assessments will be based upon these preliminary assessments and any changes made as a result of City Council actions and/or public hearing.

#### ASSESSMENT CALCULATIONS

##### Zone A – Town Center

Cost x Percentage of Square Footage/Parcel

Costco Portion = \$20,723.66

Remaining Portion\* = \$2,705.80/acre

#### ASSESSMENT ROLL

<u>Assessor's Parcel No.</u>	<u>Percentage (%)</u>	<u>Area (Ac)</u>	<u>Assessment</u>
381-041-01	71.1	0.69	1,867.00
381-041-02	71.1	1.12	3,030.50
381-041-03	71.1	0.95	2,570.52
381-041-04	71.1	0.96	2,597.58
381-041-05	71.1	0.73	1,975.24
381-041-07	71.1	0.21	568.22
381-041-09	71.1	0.34	919.98
381-041-12	71.1	0.50	1,352.90
381-041-13	71.1	0.39	1,055.26
381-041-14	71.1	8.72	23,594.58
381-041-15	71.1	2.36	6,385.70
381-041-18	EXEMPT	0.49	0.00
381-041-19	13.6	14.00	20,723.66
381-041-20	71.1	0.34	919.98
381-041-23	71.1	6.64	17,966.52
381-041-24	71.1	2.02	5,465.72



Assessor's Parcel No.	Percentage (%)	Area (Ac)	Assessment
381-041-25	71.1	0.58	1,569.36
381-041-26	71.1	0.31	838.80
381-041-27	71.1	1.18	3,192.84
381-041-28	71.1	2.08	5,628.06
381-041-29	71.1	0.60	1,623.48
381-041-30	71.1	0.64	1,731.72
381-041-31	71.1	0.86	2,327.00
381-041-32	71.1	1.79	4,843.38
381-041-33	71.1	1.42	3,842.24
381-041-34	71.1	0.25	676.46
381-041-35	71.1	0.62	1,677.60
381-041-36	71.1	0.69	1,867.00
381-041-37	71.1	1.38	3,734.00
381-041-38	71.1	0.43	1,163.50
381-041-39	71.1	<u>1.24</u>	<u>3,355.20</u>
		<b>54.53</b>	<b>\$129,064.00</b>

\* Current owners are Alessio Leasing Inc, Cosco Christopher, Costco, FP 1-7 LLC, GBS Holdings I, H&D Ltd-Santee, HD Development of Maryland, Home Depot USA, Jillie Diana Tr, Milicevic Nikola & Nada Tr, MIS Limited LLC, North Island Financial CU, Pacific Castle Santee, Rogers Family Ptnshp, San Diego Co CU, Santee Navy Assoc, Thorp-Silva Kathleen, Vigderson Eli, and Wal-Mart Stores.

### **Zone B – The Lakes**

Total Assessment Cost/No. of Units  
\$7,518/89 units = \$84.48/unit

<u>Assessor's Parcel Nos.</u>	<u>\$/Unit</u>
381-032-13-01 through 381-032-13-89, inclusive	\$84.48

### **Zone C – San Remo**

Total Assessment Cost/No. of units  
\$7,856/36 units = \$218.22/Unit

<u>Assessor's Parcel Nos.</u>	<u>\$/Unit</u>
381-310-50 through 381-310-54, 381-310-56	\$218.22
381-310-58 through 381-310-85	
381-310-89 and 381-310-91, inclusive	



### **Zone D – Mission Creek**

Improvements which benefit the entire zone include the San Diego River improvements, and have been allocated to all parcels in the zone as specified in Section 4.

$$\frac{\text{Total Assessment Cost/Total No. of EDUs}}{\$74,307/477.49 \text{ EDUs}} = \$155.62/\text{EDU}$$

The Improvements for Commercial Unit No. 3 benefit the parcels in the Commercial Subzone, and have been spread to all parcels in the subzone as described in Section 4.

$$\frac{\text{Total Assessment Cost/No. of EDUs}}{\$25,046/65.49 \text{ EDUs}} = \$382.44/\text{EDU}$$

The total assessment rate for parcels in the Commercial Subzone will be \$538.06 per EDU (including the improvements for Commercial Unit No. 3 and the improvements that benefit the entire zone).

The improvements for the Western Bike Path, Residential Units 1 and 2, the Townhouses and the Cluster Homes benefit the parcels in the Residential Subzone and have been spread to all parcels in the subzone as specified in Section 4.

$$\frac{\text{Total Assessment Cost/No. of EDUs}}{\$45,806/412.00 \text{ EDUs}} = \$111.18/\text{EDU}$$

The total assessment rate for parcels in the Residential Subzone will be \$266.80 per EDU (including the improvements for the Western Bike Path, Residential Units 1 and 2, the Townhomes, the Cluster Homes and the improvements that benefit the entire zone).

### **Zone E – Trolley Square**

The maximum assessment rate for FY 2007-08 will be increased by 2% to \$4,262.17/adjusted acre. No assessment will be levied for the fiscal year 2007-08 as the property owners' association has maintained the improvements to a level satisfactory to the City.

### **Zone F – Hartford Property**

The maximum assessment rate for FY 2007-08 will be increased by 2% to \$3,031.36/acre. No assessment will be levied for the fiscal year 2007-08 as the property owners' association has maintained the improvements to a level satisfactory to the City.

### **Zone G – Riverwalk**

The maximum assessment rate for FY 2007-08 will be increased by 2% to \$119.42 per EDU. No assessment will be levied for the fiscal year 2007-08 as the property owners' association has maintained the improvements to a level satisfactory to the City.





## ZONE D ASSESSMENT ROLL

[illegible]

## ZONE D ASSESSMENT ROLL

[illegible]

## ZONE D ASSESSMENT ROLL

[illegible]

# **ZONE D ASSESSMENT ROLL**

<b>Assessor's Parcel No.</b>	<b>Area (Acres)</b>	<b>Landuse</b>	<b>Improvements which benefit the entire Zone</b>	<b>Improvements which benefit the Commercial Subzone</b>	<b>Improvements which benefit the Residential Subzone</b>	<b>Total Assessment Fiscal Year 2007-08</b>
381-681-17-55	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-18-00	0.72	Exempt	\$0.00	\$0.00	\$0.00	\$0.00
381-681-19-01	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-02	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-03	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-04	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-05	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-06	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-07	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-08	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-09	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-10	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-11	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-12	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-13	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-14	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-15	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-16	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-17	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-18	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-19	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-20	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-21	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-22	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-23	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-24	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-25	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-26	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-27	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-28	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-29	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-30	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-31	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-32	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-33	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-34	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-35	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-36	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-37	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-38	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-39	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-40	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-41	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-42	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-43	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-44	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-45	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-46	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80

## ZONE D ASSESSMENT ROLL

Assessor's Parcel No.	Area (Acres)	Landuse	Improvements which benefit the entire Zone	Improvements which benefit the Commercial Subzone	Improvements which benefit the Residential Subzone	Total Assessment Fiscal Year 2007-08
381-681-19-47	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-48	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-49	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-50	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-51	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-52	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-19-53	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-01	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-02	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-03	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-04	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-05	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-06	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-07	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-08	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-09	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-10	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-11	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-12	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-13	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-14	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-15	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-16	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-17	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-18	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-19	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-20	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-21	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-22	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-23	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-24	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-25	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-26	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-27	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-28	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-29	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-30	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-31	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-32	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-681-20-33	0.00	Multi-Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-682-21-00	5.60	Commercial	\$7,843.25	19,274.98	\$0.00	27,118.22
381-682-22-00	1.57	Vacant Commercial	\$440.40	\$1,082.31	\$0.00	\$1,522.70
381-682-23-00	0.80	Commercial	\$1,120.46	\$2,753.57	\$0.00	\$3,874.02
381-682-24-00	0.36	Vacant Commercial	\$101.15	\$248.59	\$0.00	\$349.74
381-682-25-00	0.49	Commercial	\$686.28	\$1,686.56	\$0.00	\$2,372.84
381-700-01-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-700-02-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-700-03-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80



## ZONE D ASSESSMENT ROLL

[illegible]

## ZONE D ASSESSMENT ROLL

[illegible]

## ZONE D ASSESSMENT ROLL

[illegible]



## ZONE D ASSESSMENT ROLL

Assessor's Parcel No.	Area (Acres)	Landuse	Improvements which benefit the entire Zone	Improvements which benefit the Commercial Subzone	Improvements which benefit the Residential Subzone	Total Assessment Fiscal Year 2007-08
381-702-42-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-43-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-44-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-45-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-46-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-47-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-48-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-49-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-50-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-51-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-52-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-53-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-54-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-55-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-56-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-57-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-58-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-59-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-60-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-61-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-62-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-63-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-64-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-65-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-66-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-67-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-73-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-74-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-75-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-76-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-77-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-78-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-79-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
381-702-80-00	0.00	Single Family Residential	\$155.62	\$0.00	\$111.18	\$266.80
418	9.54		\$74,306.98	\$25,046.01	\$45,806.16	\$145,159.12 *

\*NOTE: Total is \$0.12 over the levy due to rounding



## SECTION 6

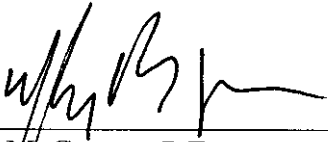
### ASSESSMENT DIAGRAMS

The assessment diagrams showing the boundaries of each zone of the District are on file in the offices of Development Services Director and the City Clerk. A copy of each is included as Exhibits A, B, C, D, E, F and G. For details of each parcels and dimensions, see the San Diego County Assessor's Maps in the office of the San Diego County Assessor.

Respectfully submitted,

**HARRIS & ASSOCIATES**

By

  
\_\_\_\_\_  
Jeffrey M. Cooper, P.E.  
R.C.E. No. 31572



# SANTEE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ZONE A - TOWN CENTER

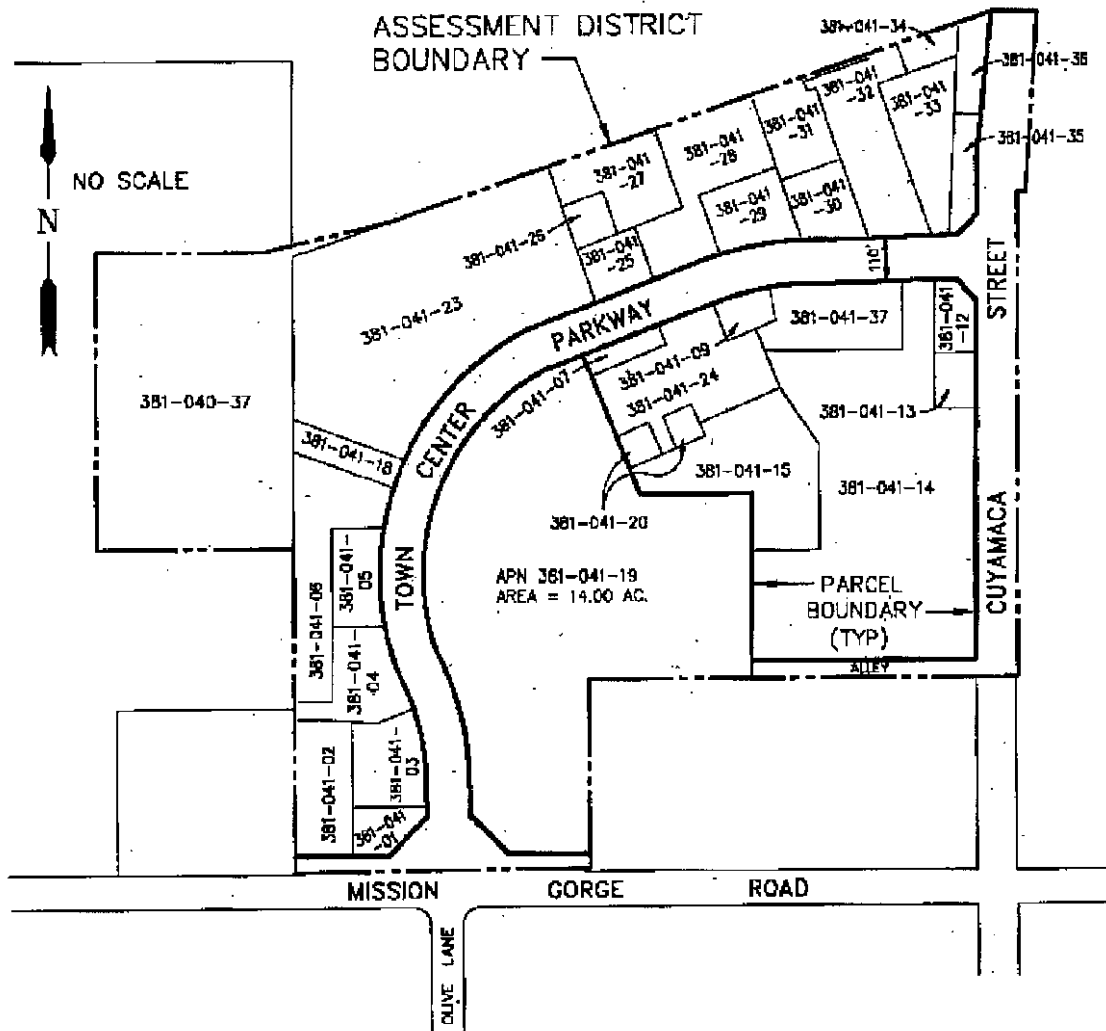


EXHIBIT "A"

# SANTEE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ZONE B - THE LAKES

NO SCALE

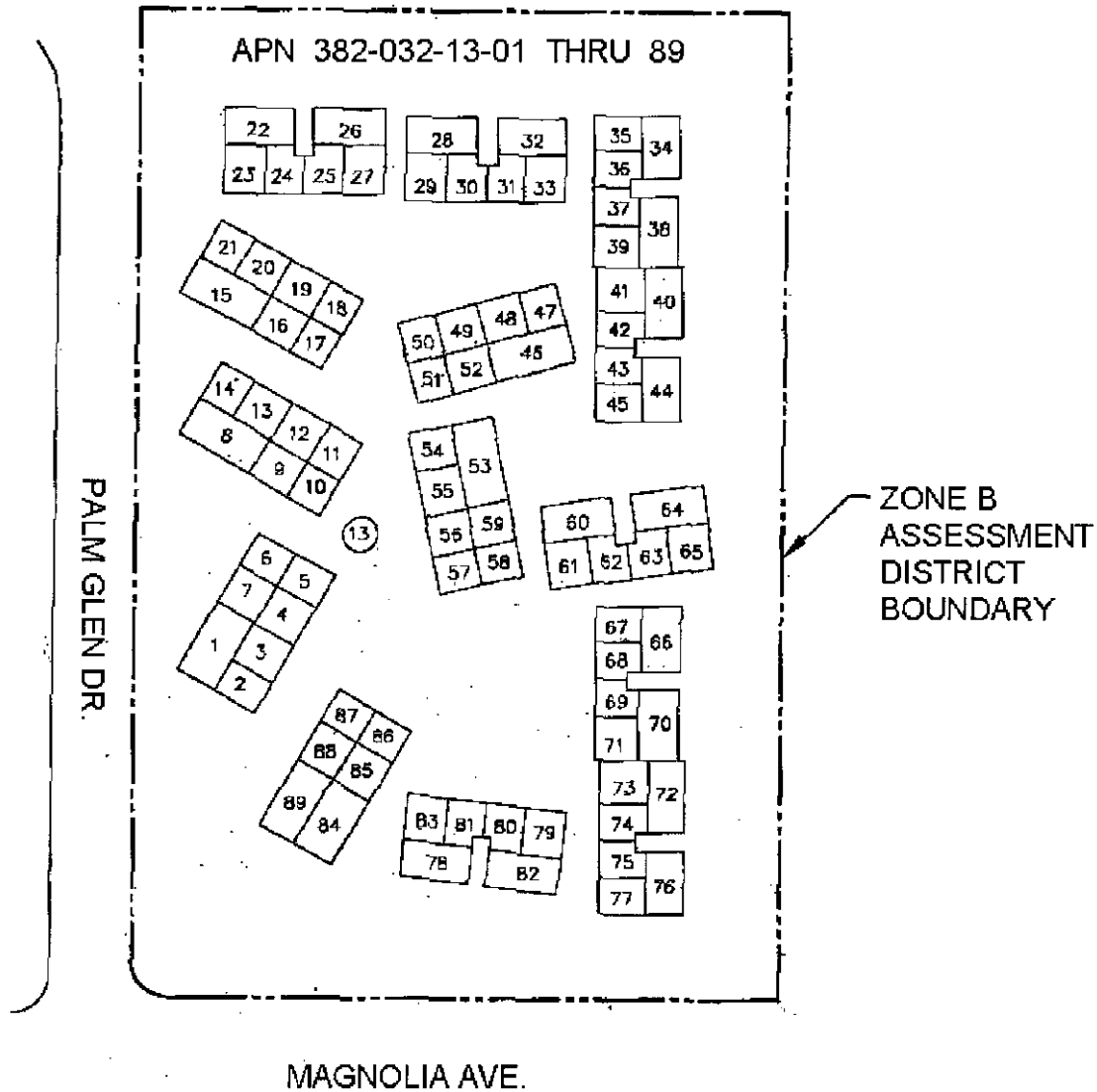


EXHIBIT "B"

# **SANTEE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ZONE C - SAN REMO**

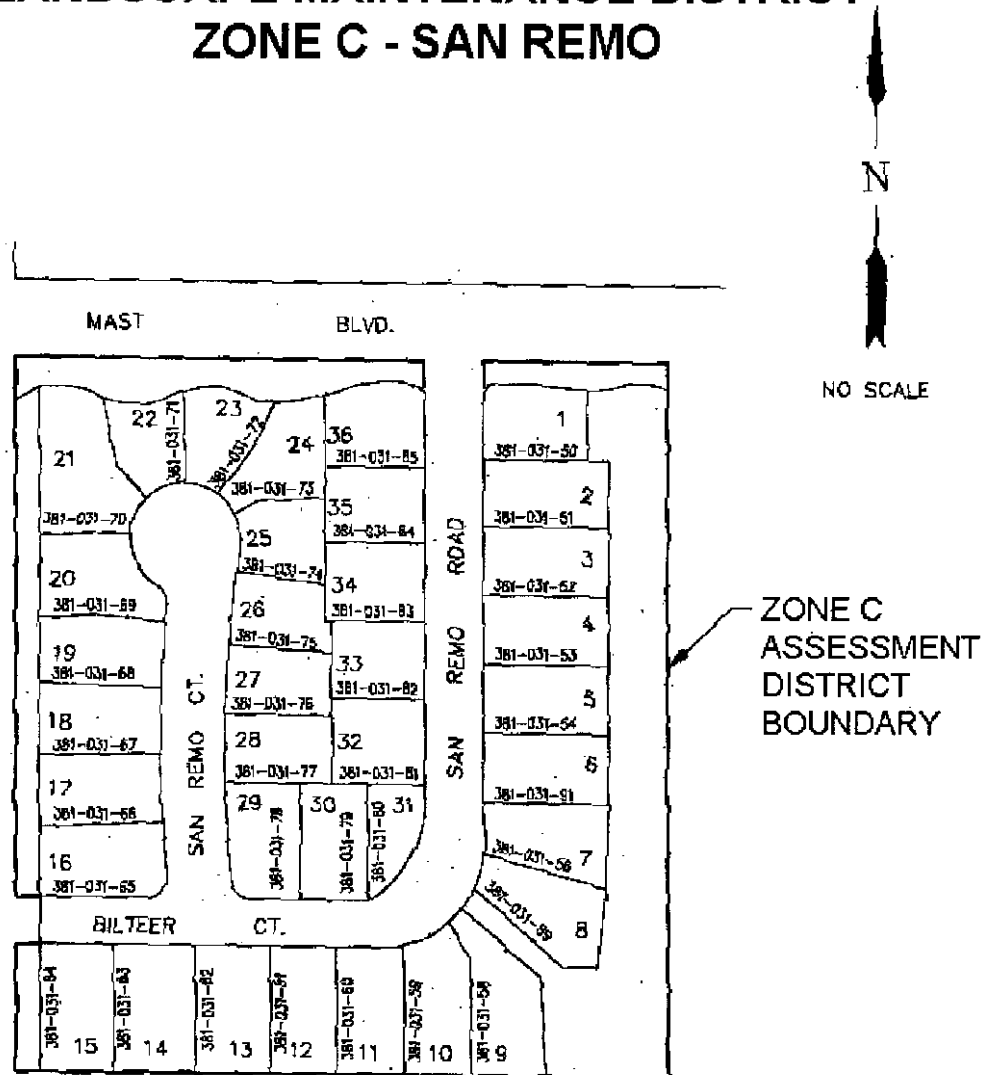


EXHIBIT "C"

**SANTEE TOWN CENTER  
LANDSCAPE MAINTENANCE DISTRICT  
ZONE D - MISSION CREEK**

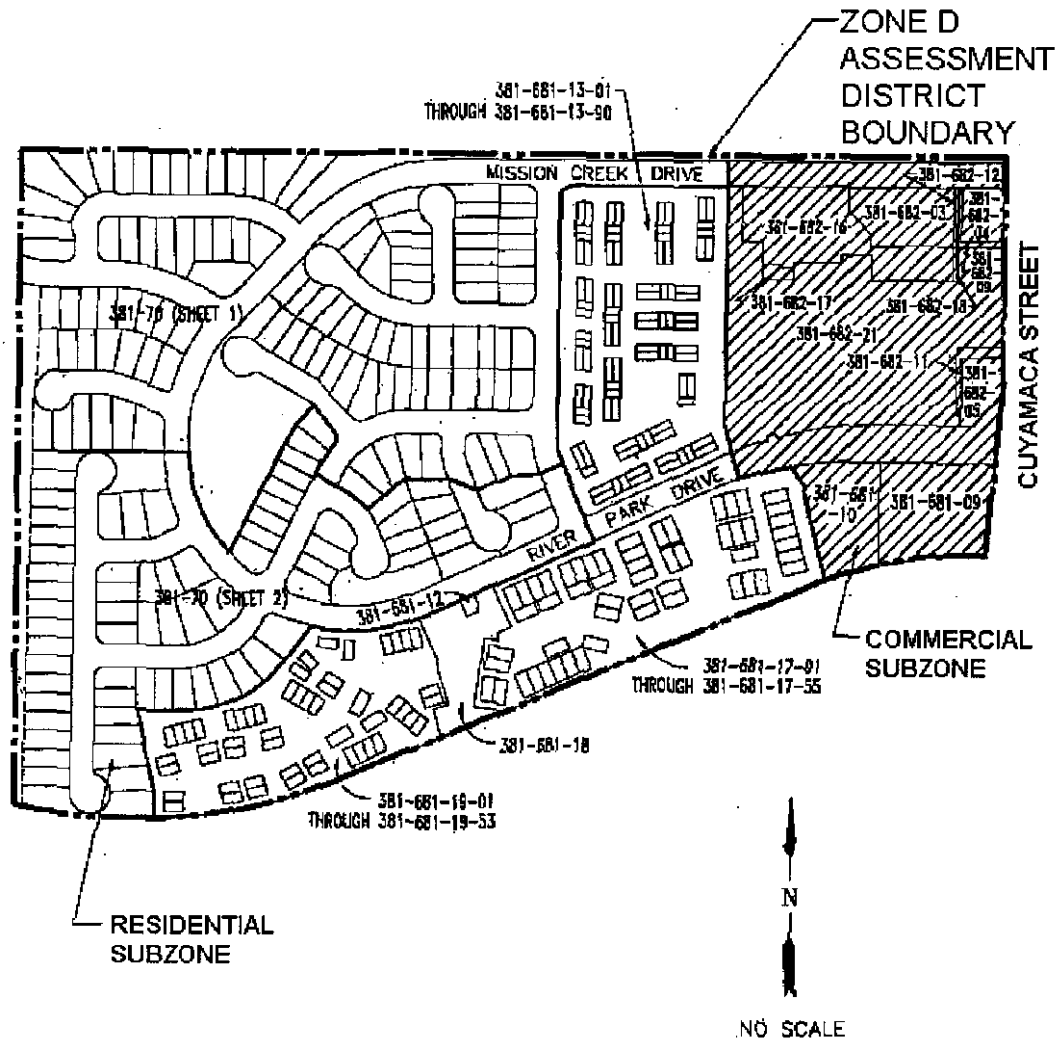
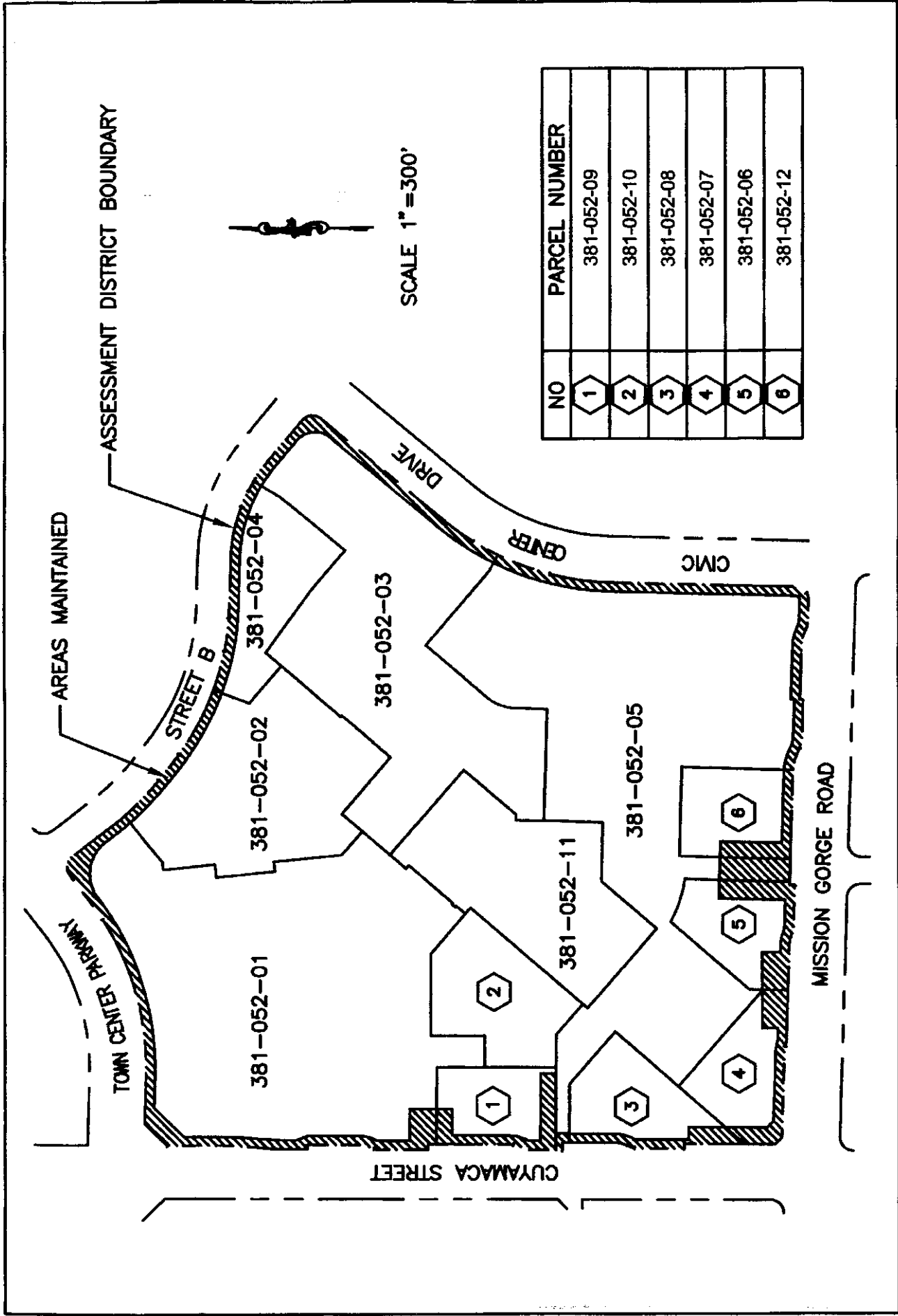
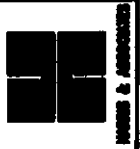


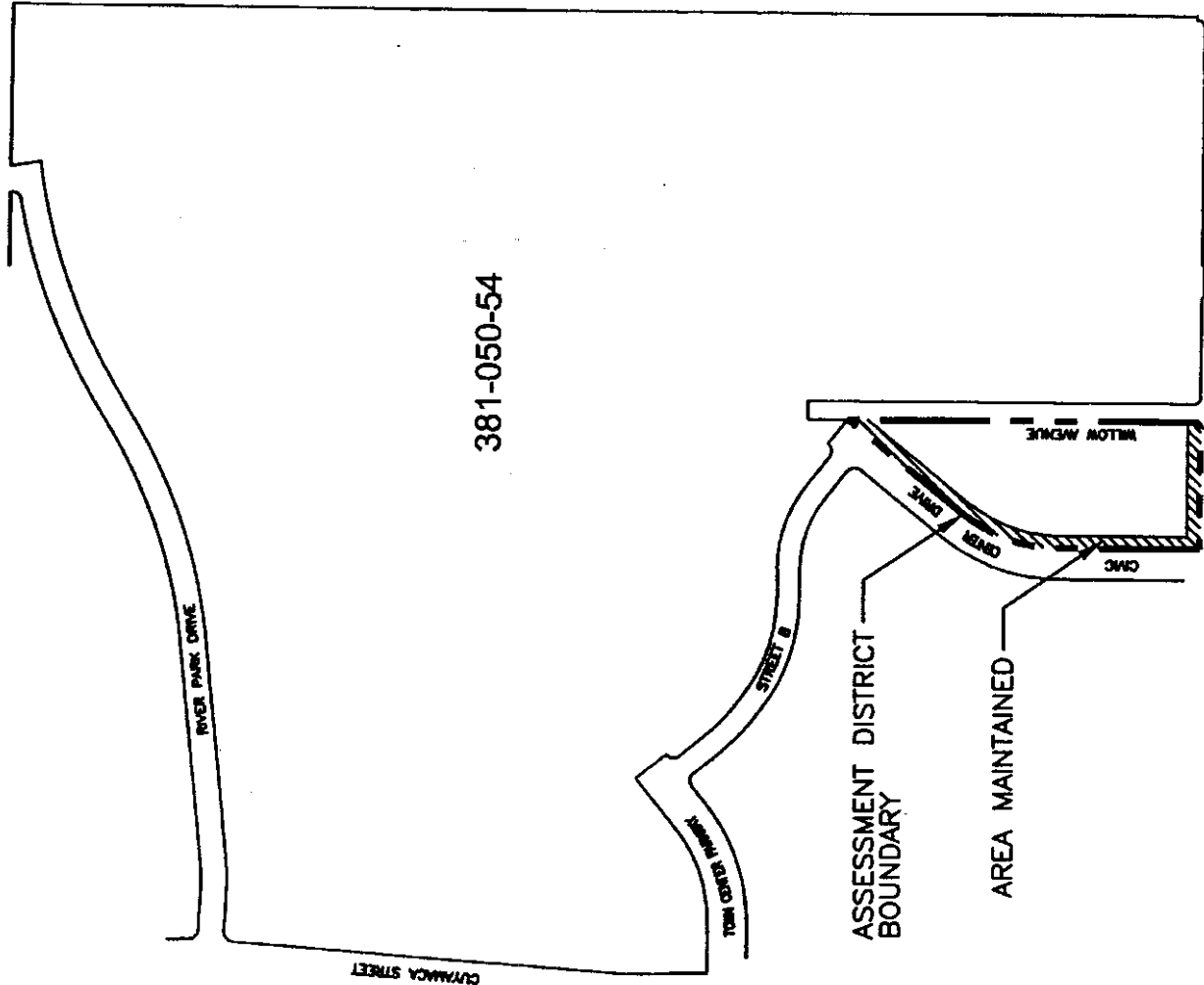
EXHIBIT "D"



NO	PARCEL NUMBER
1	381-052-09
2	381-052-10
3	381-052-08
4	381-052-07
5	381-052-06
6	381-052-12

EXHIBIT "E"  
 SANTEE TOWN CENTER  
 LANDSCAPE MAINTENANCE DISTRICT  
 ZONE E - TROLLEY SQUARE





SCALE 1"=600'

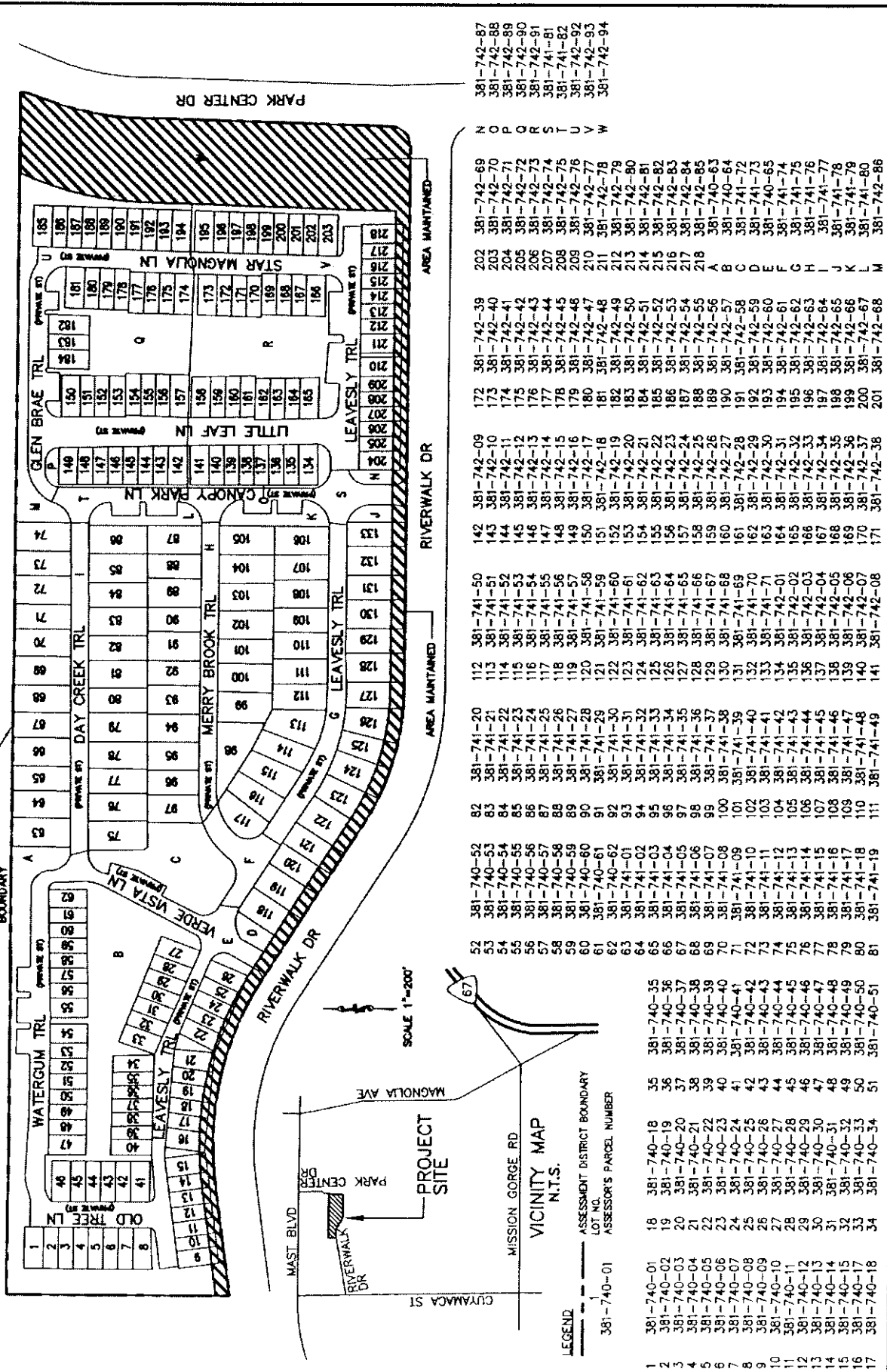
EXHIBIT "F"  
 SANTEE TOWN CENTER  
 LANDSCAPE MAINTENANCE DISTRICT  
 ZONE F - HARTFORD PROPERTY





HARRIS & ASSOCIATES

# EXHIBIT "G" SANTÉE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ZONE G - RIVERWALK



VICINITY MAP  
N.T.S.

LEGEND  
--- ASSESSMENT DISTRICT BOUNDARY  
--- LOT NO.  
--- ASSESSOR'S PARCEL NUMBER  
381-740-01

1	381-740-01	18	381-740-18	35	381-740-35
2	381-740-02	19	381-740-19	36	381-740-36
3	381-740-03	20	381-740-20	37	381-740-37
4	381-740-04	21	381-740-21	38	381-740-38
5	381-740-05	22	381-740-22	39	381-740-39
6	381-740-06	23	381-740-23	40	381-740-40
7	381-740-07	24	381-740-24	41	381-740-41
8	381-740-08	25	381-740-25	42	381-740-42
9	381-740-09	26	381-740-26	43	381-740-43
10	381-740-10	27	381-740-27	44	381-740-44
11	381-740-11	28	381-740-28	45	381-740-45
12	381-740-12	29	381-740-29	46	381-740-46
13	381-740-13	30	381-740-30	47	381-740-47
14	381-740-14	31	381-740-31	48	381-740-48
15	381-740-15	32	381-740-32	49	381-740-49
16	381-740-16	33	381-740-33	50	381-740-50
17	381-740-17	34	381-740-34	51	381-740-51

52	381-740-52	82	381-741-20	112	381-741-50	142	381-742-09	172	381-742-39	202	381-742-69	232	381-742-99
53	381-740-53	83	381-741-21	113	381-741-51	143	381-742-10	173	381-742-40	203	381-742-70	233	381-743-00
54	381-740-54	84	381-741-22	114	381-741-52	144	381-742-11	174	381-742-41	204	381-742-71	234	381-743-01
55	381-740-55	85	381-741-23	115	381-741-53	145	381-742-12	175	381-742-42	205	381-742-72	235	381-743-02
56	381-740-56	86	381-741-24	116	381-741-54	146	381-742-13	176	381-742-43	206	381-742-73	236	381-743-03
57	381-740-57	87	381-741-25	117	381-741-55	147	381-742-14	177	381-742-44	207	381-742-74	237	381-743-04
58	381-740-58	88	381-741-26	118	381-741-56	148	381-742-15	178	381-742-45	208	381-742-75	238	381-743-05
59	381-740-59	89	381-741-27	119	381-741-57	149	381-742-16	179	381-742-46	209	381-742-76	239	381-743-06
60	381-740-60	90	381-741-28	120	381-741-58	150	381-742-17	180	381-742-47	210	381-742-77	240	381-743-07
61	381-740-61	91	381-741-29	121	381-741-59	151	381-742-18	181	381-742-48	211	381-742-78	241	381-743-08
62	381-740-62	92	381-741-30	122	381-741-60	152	381-742-19	182	381-742-49	212	381-742-79	242	381-743-09
63	381-741-01	93	381-741-31	123	381-741-61	153	381-742-20	183	381-742-50	213	381-742-80	243	381-743-10
64	381-741-02	94	381-741-32	124	381-741-62	154	381-742-21	184	381-742-51	214	381-742-81	244	381-743-11
65	381-741-03	95	381-741-33	125	381-741-63	155	381-742-22	185	381-742-52	215	381-742-82	245	381-743-12
66	381-741-04	96	381-741-34	126	381-741-64	156	381-742-23	186	381-742-53	216	381-742-83	246	381-743-13
67	381-741-05	97	381-741-35	127	381-741-65	157	381-742-24	187	381-742-54	217	381-742-84	247	381-743-14
68	381-741-06	98	381-741-36	128	381-741-66	158	381-742-25	188	381-742-55	218	381-742-85	248	381-743-15
69	381-741-07	99	381-741-37	129	381-741-67	159	381-742-26	189	381-742-56	219	381-742-86	249	381-743-16
70	381-741-08	100	381-741-38	130	381-741-68	160	381-742-27	190	381-742-57	220	381-742-87	250	381-743-17
71	381-741-09	101	381-741-39	131	381-741-69	161	381-742-28	191	381-742-58	221	381-742-88	251	381-743-18
72	381-741-10	102	381-741-40	132	381-741-70	162	381-742-29	192	381-742-59	222	381-742-89	252	381-743-19
73	381-741-11	103	381-741-41	133	381-741-71	163	381-742-30	193	381-742-60	223	381-742-90	253	381-743-20
74	381-741-12	104	381-741-42	134	381-741-72	164	381-742-31	194	381-742-61	224	381-742-91	254	381-743-21
75	381-741-13	105	381-741-43	135	381-741-73	165	381-742-32	195	381-742-62	225	381-742-92	255	381-743-22
76	381-741-14	106	381-741-44	136	381-741-74	166	381-742-33	196	381-742-63	226	381-742-93	256	381-743-23
77	381-741-15	107	381-741-45	137	381-741-75	167	381-742-34	197	381-742-64	227	381-742-94	257	381-743-24
78	381-741-16	108	381-741-46	138	381-741-76	168	381-742-35	198	381-742-65	228	381-742-95	258	381-743-25
79	381-741-17	109	381-741-47	139	381-741-77	169	381-742-36	199	381-742-66	229	381-742-96	259	381-743-26
80	381-741-18	110	381-741-48	140	381-741-78	170	381-742-37	200	381-742-67	230	381-742-97	260	381-743-27
81	381-741-19	111	381-741-49	141	381-741-79	171	381-742-38	201	381-742-68	231	381-742-98	261	381-743-28

**MEETING DATE**     June 13, 2007

**AGENDA ITEM NO. 2B**

**ITEM TITLE**     PUBLIC HEARING FOR THE FY2007-08 **SANTEE LANDSCAPE**  
**MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS**

**DIRECTOR/DEPARTMENT**

Tim K. McDermott, Director of Finance

### **SUMMARY**

Tonight's Public Hearing for the Santee Landscape Maintenance District ("SLMD") FY2007-08 annual levy of assessments is the third and final in the annual assessment process. On April 25, 2007, Council initiated proceedings and ordered an Engineer's Report for SLMD's annual levy of assessments. During the May 23, 2007 meeting, Council accepted the Engineer's Report and set tonight's meeting for the required Public Hearing. The Engineer's Report describes the legal and physical nature of the SLMD, its improvements and maintenance, expenses, and the proposed spread of assessments.

For FY2007-08, ten of the 17 existing zones will be assessed and/or maintained. Remaining zones provide their own maintenance, which is done to City standards. The attached Assessment Summary Exhibit reflects SLMD assessments and costs for FY2007-08. Seven zones will have the same assessments in FY2007-08 as they had last fiscal year. Three zones will have increased assessments. The assessment for Zones 8 (Silver Country Estates) is proposed to increase by \$6.78 per home. Zone 12 (The Heights) is proposed to be assessed \$90.00 per home, the first assessment since FY2001-02. The proposed assessment for Zone 18 (Allos), will return to its level of FY2005-06.

### **FINANCIAL STATEMENT**

A total of \$101,942 would be assessed on property owners within ten existing zones of SLMD in FY2007-08 for the cost of maintenance and administration. This assessment is augmented by General Fund funding of \$31,130.

### **RECOMMENDATION**

- 1) Conduct and close Public Hearing.
- 2) Adopt Resolution.

### **ATTACHMENTS (Listed Below)**

Resolution  
Engineer's Report

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE  
CONFIRMING AN ASSESSMENT MAP AND ASSESSMENT AND PROVIDING  
FOR THE FY2007-08 SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ANNUAL LEVY OF ASSESSMENTS**

---

**WHEREAS**, the City Council of the City of Santee, has initiated proceedings for the annual levy of the assessments for a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **SANTEE LANDSCAPE MAINTENANCE DISTRICT** ("District"); and

**WHEREAS**, the City Council has ordered the preparation of an Engineer's Report ("Report") and the Director of Finance filed with this City Council said Report pursuant to the Law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the next ensuing fiscal year relating to the District, and further did proceed to give notice to the time and place for a Public Hearing on all matters relating to said annual levy of the proposed assessment; and

**WHEREAS**, at this time this City Council has heard all testimony and evidence, and is desirous of proceeding with said annual levy of assessments.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That upon the conclusion of the Public Hearing, written protests filed and not withdrawn did not represent property owners owning more than fifty percent of the area of assessable lands within the District, and said protests are overruled and denied.

**SECTION 3.** That this City Council hereby confirms the assessment map and assessment as submitted and orders the annual levy of the assessment for maintenance of improvements for the ensuing fiscal year and in the amounts as set forth in the Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

**SECTION 4.** That the assessment map and assessment for maintenance of improvements as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

**SECTION 5.** That the adoption of this Resolution constitutes the levy of the assessment for the Fiscal Year 2007-08.

**SECTION 6.** That the estimates of costs, the assessment map, the assessments and all other matters as set forth in the Report, pursuant to the Law, as submitted, are hereby approved, adopted and confirmed by this City Council.

**SECTION 7.** That the maintenance of improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County of San Diego Auditor shall enter on the County of San Diego Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County

taxes are collected. After collection by the County of San Diego, the net amount of the assessment shall be paid to the Director of Finance of said City.

**SECTION 8.** That the Director of Finance has established a special fund known as the **SANTEE LANDSCAPE MAINTENANCE DISTRICT** into which the Director of Finance shall place all monies collected by the County of San Diego Tax Collector pursuant to the provisions of this Resolution and Law, and said transfer shall be accomplished as soon as said monies have been made available to said Director of Finance.

**SECTION 9.** That the City Clerk is hereby ordered and directed to file a certified copy of the assessment map and assessment roll with the County of San Diego Auditor, together with a certified copy of this Resolution upon its adoption.

**SECTION 10.** That a certified copy of the assessment map and assessment roll shall be filed in the office of the Director of Finance, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

**ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
**RANDY VOEPEL, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**LINDA A. TROYAN, CITY CLERK**

**FY 2007-2008 ENGINEER'S REPORT  
FOR THE  
SANTEE LANDSCAP MAINTENANCE  
DISTRICT**



**CITY OF SANTEE  
FINANCE DEPARTMENT  
May 17, 2007**

**EXECUTIVE SUMMARY:  
SANTEE LANDSCAPE MAINTENANCE DISTRICT  
FISCAL YEAR 2007-2008**

This Engineer's Report summarizes staff's findings regarding the District, including: a description of the included facilities; a proposed budget for the Fiscal Year July 1, 2007 through June 30, 2008; a description of the parcels in the District; an explanation of the assessment methodology and assessment determination; and maps of each zone, called assessment diagrams.

The District will be comprised of 17 separate zones of maintenance, 13 of which have been previously annexed. Four new zones - Zones 15 through 18 - were annexed in FY2004-05 under separate assessment district proceedings and as required by the 1972 Landscaping and Lighting Act (Streets and Highways Code Section 22500 et seq). For FY2007-08 the District will have the following zones and assessments (please see Page 11 for Notes):

<b>Zone</b>	<b>Zone Name</b>	<b>Tract/Map #</b>	<b>Units</b>	<b>Total FY2007-08 Assessment</b>	<b>Per Unit Assessment</b>
1	El Nopal Estates	88-04	45	\$2,258.00	\$50.18
3	Country Scenes	89-01	14	\$ 2,067.00	\$147.64
4	Camelot Heights	89-02	10	\$ 1,385.00	\$138.50
5	Mesa Heights	88-08	44	\$0 <sup>1</sup>	\$0 <sup>1</sup>
6	Prospect Point	89-05	9	\$0 <sup>2</sup>	\$0 <sup>2</sup>
7	Treviso	03-01	186	\$0 <sup>1</sup>	\$0 <sup>1</sup>
8	Silver Country Estates	93-02	153	\$75,735.00	\$495.00
9	Mattazaro / Timberlane	88-07 / 92-03	34	\$1,529.00	\$44.98
10	Lakes West Condos	90-02	78	\$0 <sup>1</sup>	\$0 <sup>1</sup>
11	Padre Hills	89-04	35	\$0 <sup>3</sup>	\$0 <sup>3</sup>
12	The Heights	96-01	60	\$5,400.00	\$90.00
13	Prospect Hills	96-02	43	\$3,225.00	\$75.00
14	Mitchell Ranch	92-04	16	\$2,690.00	\$168.14
15	Vista Este	00-03	33	\$0 <sup>1</sup>	\$0 <sup>1</sup>
16	Prospect Glen	01-01	48	\$0 <sup>1</sup>	\$0 <sup>1</sup>
17	Dakota Ranch	01-02	20	\$5,353.00	\$267.65
18	Allos	98-02	6	\$2,300.00	\$383.33

**Notes**

1. Maintenance responsibilities assumed by Homeowners' Association or property owners.
2. No assessment needed at this time because maintenance is nominal.
3. Assessment not approved by property owners.

Ten of these existing zones - Zones 1, 3, 4, 8, 9, 12, 13, 14, 17 and 18 – will be active, and will be assessed and their improvements maintained by City or contract forces. While it will be maintained, Zones 6 will have no assessment because sufficient funds remain from prior years. Zones 5, 7, 10, 11, 15 and 16 have been annexed to the District, but have no assessment because they are responsible for their own maintenance; if not maintained to City standards, the City will assume maintenance and levy assessments. Further details are provided in the body of this Engineer's Report.

## **TABLE OF CONTENTS**

<b><u>ITEM</u></b>	<b><u>PAGE</u></b>
Executive Summary	i
Table of Contents	iii
Introduction	1
Description of District and Facilities	4
Proposed District Budget	5
Basic Data and Findings	6
Assessment Methodology	6
Assessment Determination	8
Assessment Diagram Statement	10
Table 1. FY2007-08 Maintenance Budget and Total Assessment Summary	11
Exhibits A-J. Assessment Diagrams of Zones 1, 3, 4, 8, 9, 12, 13, 14, 17 and 18	12-21



**ENGINEER'S REPORT  
CITY OF SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ZONES 1 THROUGH 18 FOR FISCAL YEAR 2007-2008**

**INTRODUCTION**

This is the Engineer's Report for Zones 1 through 18 of the City of Santee Landscape Maintenance District ("District"). It has been prepared in accordance with the Landscaping and Lighting Act of 1972 ("72 Act"), State Streets and Highways Code 22500 et seq. This Engineer's Report summarizes the City's findings regarding the subject District, and includes:

- 1) an introduction describing the District, its zones, and relevant legislation;
- 2) a description of the facilities to be maintained by the District;
- 3) a proposed budget for the Fiscal Year July 1, 2007 through June 30, 2008;
- 4) a description of the parcels included in the District;
- 5) an explanation of the assessment methodology and assessment determination made in conformance with the '72 Act, its amendments and related legislation (see page 7); and
- 6) an assessment diagram, or map, of each active zone.

**ACTIVE ZONES** In FY2007-08, the Santee Landscape Maintenance District will be divided into 17 separate zones of benefit. The 17 zones are comprised of both active and inactive zones. "Active" means the zones will have maintenance activities during FY2007-08. Maintenance activities are comprised of both contract and City forces. The eleven active zones are:

**Zone 1 - El Nopal Estates:** Established in FY1989-90, this was the first subdivision in the District and was originally comprised of two zones. Zone 2 was eliminated in FY1997-98 because its maintenance was subsumed under Zone 1 to be consistent with current assessment district laws.

**Zone 3 - Country Scenes:** This 14-unit single family subdivision located near Conejo and Mast Blvd. was annexed in FY1992-93.

**Zone 4 - Camelot Heights:** Annexed in FY1993-94, this subdivision's ten single-family homes located off Princess Joanne Rd. share maintenance costs.

**Zone 6 - Prospect Point:** Eight single-family homes comprise this zone located off Prospect Ave. This zone has had no assessments since FY1996-97 due to its nominal maintenance needs.

**Zone 8 - Silver Country Estates:** 153 single-family homes make up this subdivision at the north end of Cuyamaca St. The first unit was annexed in FY1995-96, but the improvements were not accepted so there was no assessment. Once the project was completed, property owners cast ballots regarding assessments in FY1998-99, and the affirmative vote set an initial assessment and maximum rate.

**Zone 9 - Timberlane / Mattazaro:** Due to their physical proximity, improvements for the 25-unit single-family home development called "Timberlane" and the nine-unit "Mattazaro" single-family home project were combined into one zone. Zone 9 had no assessment in its first year because the improvements were not accepted before the start of FY1996-97. In FY1997-98, improvements were accepted and an affirmative majority vote was made for the initial and maximum assessment rates.

**Zone 12 - The Heights:** Annexed in FY1998-99, this 60-unit single-family project is at the northwest end of Magnolia Ave. Maintenance was assumed by the City in FY2002-03. The project had affirmative assessment ballot proceedings establishing initial and maximum assessment rates.

**Zone 13 - Prospect Hills:** Also annexed in FY1998-99, the 43 single-family homes off Prospect Ave. east of Holden Rd. share in the cost of landscaping fronting the project on Prospect Ave. The zone also had affirmative assessment ballot proceedings to establish initial and maximum assessment rates.

**Zone 14 – Mitchell Ranch:** This 14-unit single-family subdivision is at the southwest corner of Magnolia Ave. and El Nopal. An affirmative assessment ballot proceeding setting initial and maximum assessment rates was undertaken prior to its FY2000-01 annexation.

**Zone 17 – Dakota Ranch:** This 20 single-family home development located on Dakota Ranch Rd. off Princess Joann was annexed in FY2004-05. This zone also had affirmative assessment ballot proceedings to establish initial and maximum assessment rates.

**Zone 18 – Allos:** Also annexed in FY2004-05, the six single family homes are on Prospect Ct. adjacent to Prospect Ave. near Mesa Rd. Improvements were reduced from the originally approved plans to provide a reasonable assessment. The project had affirmative assessment ballot proceedings establishing initial and maximum assessment rates.

**INACTIVE ZONES** Six of the 17 zones are “inactive,” i.e., there is no assessment and they are responsible for their own maintenance. These zones are:

**Zone 5 - Mesa Heights:** This zone was originally annexed in FY1993-94. Due to rising costs, in FY1997-98, the Mesa Heights HOA assumed maintenance responsibilities for their 44-unit single-family subdivision’s landscaped improvements.

**Zone 7 – Treviso:** Formerly commercially-zoned, the 186-unit multifamily Treviso property carries out its own maintenance, so there is no assessment.

**Zone 10 – Lakes West:** The Navy-owned 78-unit condominium project is located on Mission Gorge Rd. at Simeon Dr. and Bushy Hill Dr. It is responsible for its own maintenance and has not been assessed since its FY1996-97 annexation.

**Zone 11 – Padre Hills:** A 35 single-family home subdivision located off Prospect Ave., Padre Hills underwent an unsuccessful assessment ballot proceeding upon its FY1997-98 annexation. Consequently, the subdivision is responsible for maintaining its landscaping and is not assessed.

**Zone 15 – Vista Este:** The 33 attached homes included in this zone are responsible for their own maintenance through a Homeowners’ Association, and was annexed in FY2004-05. The subdivision is located off Fanita Dr. at Watson Pl.

**Zone 16 – Prospect Glen:** The development’s Homeowners’ Association takes care of the maintenance for the 48 single-family homes in this project, which was annexed in FY2004-05. The project is located on the northwest corner of Prospect Ave. and Fanita Dr.

In FY2007-08, the District will be comprised of the following zones with the following assessments:

Zone	Name	Tract/Map #	Units	Total Annual Assessment	Per Unit Assessment
1	El Nopal Estates	88-04	45	\$2,258.00	\$50.18
3	Country Scenes	89-01	14	\$2,067.00	\$147.64
4	Camelot Heights	89-02	10	\$1,385.00	\$138.50
5	Mesa Heights	88-08	44	\$0	\$0
6	Prospect Point	89-05	9	\$0	\$0
7	Treviso	03-01	186	\$0	\$0
8	Silver Country Estates	93-02	153	\$75,735.00	\$495.00
9	Mattazaro / Timberlane	88-07 / 92-03	34	\$1,529.00	\$44.98
10	Lakes West Condos	90-02	78	\$0	\$0
11	Padre Hills	89-04	35	\$0	\$0
12	The Heights	96-01	60	\$5,400.00	\$90.00
13	Prospect Hills	96-02	43	\$3,225.00	\$75.00
14	Mitchell Ranch	92-04	16	\$2,690.00	\$168.14
15	Vista Este	00-03	33	\$0	\$0
16	Prospect Glen	01-01	48	\$0	\$0
17	Dakota Ranch	01-02	20	\$5,353.00	\$267.65
18	Allos	98-02	6	\$2,300.00	\$383.33

**EFFECTS OF PROPOSITION 218 LEGISLATION** In November, 1996 Prop 218 - the "Right to Vote on Taxes Act" – added Article XIII D to the State Constitution. The amendment created new substantive and procedural requirements for '72 Act districts. Now, when a new or increased levy is proposed for a district or a zone therein the local agency must mail a notice and "ballot" to each property owner of record affected by the new or increased assessment. The ballot procedure enables property owners to approve or disapprove the proposed new or increased assessment. The vote is determined by the weighted proportional financial obligation of the ballots returned. A "majority protest" exists if ballots submitted in opposition exceed ballots in favor of the new or increased levy. If a majority protest exists for a new assessment, the local agency cannot levy the assessment. If a majority protest exists for an increase in an existing assessment, the increase cannot be collected, but the base amount (the amount levied last fiscal year) can continue to be levied.

The '72 Act enables the governing body to adjust assessment rates as it directs at the approval stage or the public hearings. Therefore, the rates shown herein are proposed but are not confirmed until approved by the City Council. Once the Engineer's Report has been approved by the City Council, the ballots tabulated (if applicable), and the public hearing(s) completed, final assessment information will be provided to the County of San Diego for inclusion on the appropriate property tax bills

## **DESCRIPTION OF DISTRICT AND LANDSCAPED FACILITIES**

**NAME**           The District is entitled "City of Santee Landscape Maintenance District."

**BOUNDARIES**       The District will be divided into 17 separate zones of benefit, as described below. Dimensions of each parcel are shown on Assessor's maps located in the County of San Diego Administration Building, 1600 Pacific Highway, San Diego, CA 92101. As provided in the '72 Act, the boundaries may be adjusted in the future by annexations to this District. Zones subject to assessments in FY2007-08 are depicted on the Assessment Diagrams attached herein as Exhibits A through J.

**Zone 1 – El Nopal Estates (TM88-04):** Assessor's Parcel Numbers (APNs) 381-221-10 through 381-221-42, inclusive, and 381-221-44, -45, -46, and -47, and 381-221-58 through -65, inclusive.

**Zone 3 – Country Scenes (TM89-01):** APNs 381-260-49 through 381-260-62, inclusive.

**Zone 4 – Camelot Heights (TM89-02):** APNs 378-420-46 through 378-420-55, inclusive.

**Zone 5 – Mesa Heights (TM88-08):** APNs 386-670-01 through 386-670-44, inclusive.

**Zone 6 – Prospect Point (TM89-05):** APNs 386-250-07, -11, -12, -13, -14, -17, -19, -22, and -24.

**Zone 7- Treviso (TM03-01):** APNs 383-061-07-01 through -28, inclusive, 383-061-08-01 through -36, inclusive, 383-061-09-01 through -32, inclusive, 383-061-10-01 through -32, inclusive, 383-061-11-01 through -30, inclusive, and 383-061-12-01 through -28, inclusive.

**Zone 8 – Silver Country Estates (TM93-02):** APNs 378-440-01 through -29, inclusive, 378-441-01 through -26, inclusive, 378-441-29 through -41, inclusive, 378-441-44 and -45, 378-450-01 through -20, inclusive, 378-450-22 through -53, inclusive, 378-450-55, and 381-710-01 through -30, inclusive.

**Zone 9 – Mattazaro/Timberlane (TM88-07/TM92-03)** is APNs 381-690-02 through -12, inclusive, 381-690-15 through -26, inclusive, 381-690-34 through -40, inclusive, 381-690-47 through -49, inclusive, and 381-690-51.

**Zone 10 – Lakes West (TM90-02):** APN 386-300-58.

**Zone 11 – Padre Hills (TM89-04):** APNs 386-270-53 through -63, inclusive, and 386-270-70 through -93, inclusive.

**Zone 12 – The Heights (TM96-01):** APNs 378-460-01 through -06, inclusive, 378-460-09 through -40, inclusive, 378-460-43 and -44, and 378-461-01 through -06, inclusive, 378-461-09 through -20, inclusive, and 378-460-21 and -22.

**Zone 13 – Prospect Hills (TM96-02):** APNs 386-680-01 through -20, inclusive.

**Zone 14 – Mitchell Ranch (TM92-04):** APNs 381-720-01 through -16, inclusive.

**Zone 15 – Vista Este (TM00-03):** APNs 386-690-01 through -33, inclusive.

**Zone 16 – Prospect Glen (TM01-01):** APNs 383-490-01 through -48, inclusive.

**Zone 17 – Dakota Ranch (TM01-02):** APNs 378-420-56 through -75, inclusive.

**Zone 18 – Allos (TM98-02):** APNs 386-280-50 through -55, inclusive.

**FACILITIES AND/OR IMPROVEMENTS TO BE MAINTAINED** Facilities or improvements include landscaping within public streets, rights-of-way and easements, their appurtenances and the costs of installing, operating and maintaining them. Improvements to be maintained generally comprise frontage landscaping and hardscaping. Maintenance includes, but is not limited to, weeding, fertilizing, trimming, cleaning, energy, water, materials, personnel/equipment costs, contract services and other items needed to deliver these services. Zones responsible for their own maintenance are not included in the following section. Prospect Point is not included in this section because it has no assessment and only nominal maintenance in FY2007-08. The following describes zones that will be assessed and/or maintained by the District in FY2007-08:

- Zone 1** Landscaping, walks and retaining wall faces on El Nopal St. and Julio Pl.
- Zone 3** Landscaping, walks and entry monument faces on Conejo Rd and Country Scenes Ct.
- Zone 4** Landscaping and retaining wall face on Princess Joann Rd. adjacent to the subdivision.
- Zone 8** Landscaping and faces of retaining walls along Cuyamaca St., El Nopal, Woodglen Vista Dr. and Cardoza Dr. adjacent to the site.
- Zone 9** Landscaping and faces of block retaining walls along Bilteer Dr. and Theresa Ln adjacent to the subdivision.
- Zone 12** Landscaping along Magnolia Avenue and along the pedestrian trail adjacent to the site.
- Zone 13** Landscaping and faces of privacy wall along Prospect Ave. and on Holden Rd. adjacent to the subdivision.
- Zone 14** Landscaping and faces of block retaining walls on El Nopal and Magnolia Ave. adjacent to the site.
- Zone 17** Landscaping on Princess Joann Rd. and Dakota Ranch Rd. adjacent to the site and entrance to the Dakota Ranch project.
- Zone 18** Parkway and slope landscaping between Prospect Ave. and Lot #1 of Allos; ten foot wide landscaped strip along the west side of Prospect Ct..

### **PROPOSED DISTRICT BUDGET**

**GENERAL** The '72 Act provides that the total cost of installation, construction, maintenance and servicing of the public landscaping and hardscaping facilities can be recovered by the District. Maintenance may include the repair and/or replacement of existing facilities. Servicing may include electrical, water, and public utility costs. Incidental expenses, including administration of the District, data processing fees, annual Engineer's Report, engineering fees, legal fees, printing, posting, mailing of notices, and all other costs associated with the maintenance of the District may also be included.

**BUDGET** Estimated FY2007-08 expenditures are shown in Table 1. Budgets for Zones 1, 3, 4, 8, 9, 12, 13, 14, 17 and 18 are covered. There are no budgets for Zones 5, 7, 10, 11, 15 and 16 because the respective property owners are directly responsible for maintenance. There is no budget for Zone 6 due to its nominal maintenance activities.

### **BASIC DATA AND FINDINGS**

**BASIC DATA** Data has been compiled from the County Assessor's maps, Development Services Department records, and a field review by Community Services Department staff.

**FINDINGS** Individual parcels within a district receive benefits based on land use, size and location of landscaping improvements to be installed or maintained. In the Santee Landscape Maintenance District, all parcels are zoned for residential uses.

<b>Zone</b>	<b>Name</b>	<b>Tract/Map #</b>	<b>Total Assessable Parcels</b>	<b>Zoning</b>
1	El Nopal Estates	88-04	45	Residential
3	Country Scenes	89-01	14	Residential
4	Camelot Heights	89-02	10	Residential
5	Mesa Heights	88-08	44	Residential
6	Prospect Point	89-05	9	Residential
7	Treviso	03-01	186	Residential
8	Silver Country Estates	93-02	153	Residential
9	Mattazaro / Timberlane	88-07 / 92-03	34	Residential
10	Lakes West Condos	90-02	1 (78 condo parcels)	Residential
11	Padre Hills	89-04	35	Residential
12	The Heights	96-01	60	Residential
13	Prospect Hills	96-02	43	Residential
14	Mitchell Ranch	92-04	16	Residential
15	Vista Este	00-03	33	Residential
16	Prospect Glen	01-01	48	Residential
17	Dakota Ranch	01-02	20	Residential
18	Allos	98-02	6	Residential

### **ASSESSMENT METHODOLOGY**

**GENERAL** The '72 Act permits the establishment of assessment districts by cities for the purpose of providing and maintaining certain public improvements. The '72 Act requires that assessments be levied according to the benefit received rather than assessed value. Section 22573 states:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots of parcels in proportion to the estimated benefit to be received by each such lot or parcel from the improvements.”

The ‘72 Act also permits the designation of zones of benefit within any individual assessment district if “by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement.” (Section 22574) Thus, the ‘72 Act requires the levy of a true “assessment” rather than a “special tax.” Excepted from the assessment are the areas of all public streets, avenues, lanes, roads, drives, courts, and alleys; public parks, greenbelts and parkways; and public school property, other public property and zoned agricultural open space.

Article XIII D of the State Constitution also requires that the Engineer’s Report identify all parcels receiving a special benefit, and identify the extent of the special benefit conferred. It defines “special benefit” as: “. . . a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute ‘special benefit.’ ” Article XIII D then states:

“An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of . . . the maintenance and operation expenses of a public improvement. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel.”

Article XIII D requirements for assessments are similar to those of traditional assessment district law, including the ‘72 Act. The purpose of the above cited section is to allow assessments to be used, again, as a legitimate financing mechanism and not as a means to impose a “flat rate parcel tax.” Thus, while a benefit determination is still made, the Engineer’s Report is now required to draw a stronger relationship, or nexus, between the property, the benefit received and the subsequent assessment.

**METHODOLOGY** One of Article XIII D’s most significant changes is the “calculation requirement.” Local agencies must now determine whether or not property owners would receive a “special benefit” from services financed by the assessment. An Engineer’s Report is required to estimate the special benefit and general benefit property owners would receive. This step is needed because Article XIII D allows only the recoupment of the proportionate share of costs of the special benefit. Individual levies must be set so that no property owner pays over the proportional share of the total cost. The Jarvis-Gann Group, in Prop 218’s “Statement of Drafter’s Intent,” notes that:

“What constitutes a special benefit will depend on the nature of the . . . service being provided. It must be more than a mere increase in the value of the property because, arguably, the availability of any public service could provide additional value. It must be a direct and special benefit conferred on the property that exceeds the benefit conferred on the public at large or even to other similar properties.”

Clearly an additional level of analysis is required; however, this additional analysis parallels the analyses presented in prior Engineer's Reports which were prepared in compliance with the '72 Act. It differs only in the determination of special vs. general benefit. This requires establishing the facts surrounding each subdivision included or proposed to be included in a district, and requires that these facts support the conferral of the special benefit.

All residential subdivisions included in the Santee Landscape Maintenance District have improvements directly associated with the exterior entrances and internal circulation elements of each particular subdivision. These improvements are features of each subdivision's overall design, are consistent with the City of Santee General Plan Development Standards and Subdivision Ordinance, and were included as a component of each project's Tentative Map approval.

No improvements included within each zone's maintenance responsibility are located outside the boundaries of each subdivision's Tentative Map, or outside the limits of the improvements that fulfill the requirements of project approval. Improvements were installed as part of subdivision construction. If each subdivision had not been built, the improvements associated with each subdivision would not have been installed nor provided later. Thus, the existence of the improvements is a direct function of the construction of each subdivision, and the special benefit of the associated improvements therefore inures to each subdivision. No general benefit is assigned because the improvements would not have been installed without the subdivision.

The approval of each subdivision's landscaping plan is part of the approval of each subdivision's Tentative Map. Thus, construction could not have proceeded without an approved Tentative Map, of which the landscaping plan is an integral part. Similarly, occupancy would not have occurred without fulfilling the conditions of development approval, which includes the installation of the improvements. Therefore, the special benefits of the improvements accrue directly to each home in each subdivision.

The method of assessment spread remains unchanged from prior Fiscal Years. Assessment spreads are based upon a single-family home being equal to one benefit unit. Total assessment costs are divided by the total benefit units to determine a per benefit unit cost. The portion of the District addressed by this Engineer's Report is split into zones representing different levels of benefit. Developments with no assessment determination are not described in the "Assessment Determination" section.

**ANNUAL ASSESSMENT RATE INCREASES** Per Article XIII D, the levy of maximum rates is contingent on obtaining a majority approval of property owners. The maximum assessment rates per unit in Zone 17 and 18 may be increased by up to 2% annually by City Council action. Based on an analysis of the projected maintenance costs associated with existing public improvements, the maximum cap per unit have been established as \$304.98 in Zone 17 and \$575.00 in Zone 18. Please note that all proposed assessments for FY2007-08 are at or below the approved maximum, thus Article XIII D requirements do not apply.



## **ASSESSMENT DETERMINATION**

**ASSESSMENT** Proposed FY2007-08 assessments are based on the previous methodology and use data available from subdivisions' plans and Assessor's information. Maintenance costs are developed by the Community Services Department. The Finance Department believes the data to be accurate. Final assessments will be based upon these preliminary assessments and any changes made due to Council action and/or input received during the public hearings.

### **ZONE 1 - EL NOPAL ESTATES**

Operations, Maintenance, Administration and Engineering, net of total available: \$2,258.00  
Assessment Formula: [45 parcels (1 unit/parcel)] = 45 Units;  $\$2,258.00/45 = \$50.18$  per Unit  
**Zone 1 - El Nopal Estates Single-Family Parcel Cost Per Year: \$50.18**

### **ZONE 3 - COUNTRY SCENES**

Operations, Maintenance, Administration and Engineering, net of total available: \$2,067.00  
Assessment Formula: [14 parcels (1 unit/parcel)] = 14 Units;  $\$2,067.00/14 = \$147.64$  Per Unit  
**Zone 3 - Country Scenes Single-Family Parcel Cost Per Year: \$147.64**

### **ZONE 4 - CAMELOT HEIGHTS**

Operations, Maintenance, Administration and Engineering, net of total available: \$1,385.00  
Assessment Formula: [10 parcels (1 unit/parcel)] = 10 Units;  $\$1,385.00/10 = \$138.50$  Per Unit  
**Zone 4 - Camelot Heights Single-Family Parcel Cost Per Year: \$138.50**

### **ZONE 8 - SILVER COUNTRY ESTATES**

Operations, Maintenance, Administration and Engineering, net of total available: \$75,735.00  
Assessment Formula: [153 parcels (1 unit/parcel)] = 153 Units;  $\$75,735.00/153 = \$495.00$  Per Unit  
**Zone 8 - Silver Country Estates Single-Family Parcel Cost Per Year: \$495.00**

### **ZONE 9 - MATTAZARO/TIMBERLANE**

Operations, Maintenance, Administration and Engineering, net of total available: \$1,529.00  
Assessment Formula: [34 parcels (1 unit/parcel)] = 34 Units;  $\$1,529.00/34 = \$44.98$  Per Unit  
**Zone 9 - Mattazaro/Timberlane Single-Family Parcel Cost Per Year: \$44.98**

### **ZONE 12 - THE HEIGHTS**

Operations, Maintenance, Administration and Engineering, net of total available: \$5,400.00  
Assessment Formula: [60 parcels (1 unit/parcel)] = 60 Units;  $\$5,400.00/60 = \$90.00$  Per Unit  
**Zone 12 - The Heights Single-Family Parcel Cost Per Year: \$90.00**

### **ZONE 13 - PROSPECT HILLS**

Operations, Maintenance, Administration and Engineering, net of total available: \$3,225.00  
Assessment Formula: [43 parcels (1 unit/parcel)] = 43 Units;  $\$3,225.00/43 = \$75.00$  Per Unit  
**Zone 13 - Prospect Hills Single-Family Parcel Cost Per Year: \$75.00**

### **ZONE 14 - MITCHELL RANCH**

Operations, Maintenance, Administration and Engineering, net of total available: \$2,690.00  
Assessment Formula: [16 parcels (1 unit/parcel)] = 16 Units;  $\$2,690.00/16 = \$168.14$  Per Unit  
**Zone 14 - Mitchell Ranch Single-Family Parcel Cost Per Year: \$168.14**

**ZONE 17 – DAKOTA RANCH**

Operations, Maintenance, Administration and Engineering, net of total available: \$5,353.00

Assessment Formula: [20 parcels (1 unit/parcel)] = 20 Units; \$5,353.00/20 Units = \$267.65 Per Unit

**Zone 17 – Dakota Ranch Single-Family Parcel Cost Per Year: \$267.65**

**ZONE 18 – ALLOS**

Operations, Maintenance, Administration and Engineering, net of total available: \$2,300.00

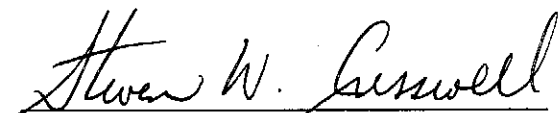
Assessment Formula: [6 parcels (1 unit/parcel)] = 6 Units; \$2,300.00/6 Units = \$383.33 Per Unit

**Zone 14 – Allos Single-Family Parcel Cost Per Year: \$383.33**

**ASSESSMENT DIAGRAM STATEMENT**

The assessment diagrams showing the boundaries of the District and the active zones addressed by this Engineer's Report and which will be assessed in FY2007-08 are on file in the offices of the City Clerk and the Director of Finance. Copies of each diagram are included in this report as Exhibit A through Exhibit J (Zones 1, 3, 4, 8, 9, 12, 13, 14, 17 and 18). For exact details of parcels and dimensions, please refer to the Assessor's maps located in the office of the San Diego County Recorder.

Submitted by:



**Steve W. Cresswell, P. E.**

License No.: 47180

License expiration date: December 31, 2007

City Engineer, City of Santee

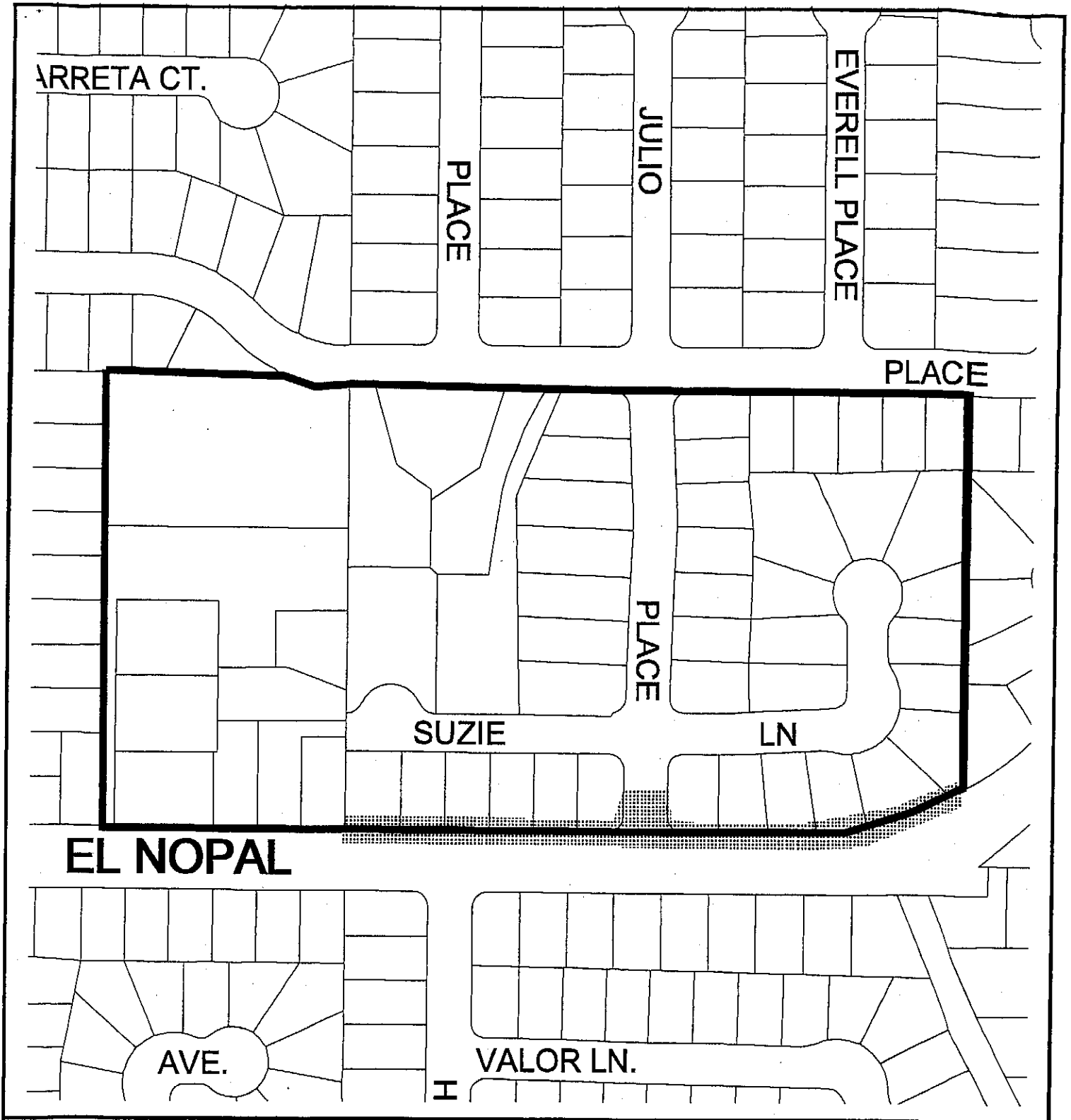


**FY2006-07 SANTEE LANDSCAPE MAINTENANCE DISTRICT  
ASSESSMENT SUMMARY FOR ZONES PROPOSED TO BE ASSESSED**

ZONE	ZONE NAME	NUMBER OF UNITS	FY2007-08 MAINTENANCE & ADMINISTRATION	TOTAL AVAILABLE ON JULY 1, 2007	FY2007-08 TOTAL ASSESSMENT	FY2007-08 ASSESSMENT RATE/UNIT	FY2006-07 ASSESSMENT RATE/UNIT	MAXIMUM APPROVED ASSESSMENT
1	EL NOPAL ESTATES	45	\$ 6,090.00	\$ 3,832.00	\$ 2,258.00	\$ 50.18	\$ 50.18	\$ 50.18
3	COUNTRY SCENES	14	\$ 4,830.00	\$ 2,763.00	\$ 2,067.00	\$ 147.64	\$ 147.64	\$ 147.64
4	CAMELOT HEIGHTS	10	\$ 4,025.00	\$ 2,640.00	\$ 1,385.00	\$ 138.50	\$ 138.50	\$ 138.50
8	SILVER COUNTRY ESTATES	153	\$ 111,610.00	\$ 35,875.00	\$ 75,735.00	\$ 495.00	\$ 488.22	\$ 495.00
9	MATTAZARO/ TIMBERLANE	34	\$ 3,990.00	\$ 2,461.00	\$ 1,529.00	\$ 44.98	\$ 44.98	\$ 44.98
12	THE HEIGHTS (1)	60	\$ 11,120.00	\$ 21,146.00	\$ 5,400.00	\$ 90.00	-	\$ 375.00
13	PROSPECT HILLS	43	\$ 7,246.00	\$ 4,021.00	\$ 3,225.00	\$ 75.00	\$ 75.00	\$ 75.00
14	MITCHELL RANCH	16	\$ 4,391.00	\$ 1,701.00	\$ 2,690.00	\$ 168.14	\$ 168.14	\$ 168.14
17	DAKOTA RANCH	20	\$ 4,765.00	\$ 5,703.00	\$ 5,353.00	\$ 267.65	\$ 267.66	\$ 304.98
18	ALLOS	6	\$ 3,897.00	\$ 4,000.00	\$ 2,300.00	\$ 383.33	\$ 234.68	\$ 575.00

Note 1: Total available on July 1, 2007 includes reserve balances and contributions from the City.

Note 2: The maximum approved assessments of Zone 17 and Zone 18 reflect an eligible 2% increase in FY 2007-08.  
Nominal errors are due to rounding of budget figures.



THE CITY OF SANTEE

**Santee Landscape Maintenance District  
Zone 1- El Nopal Estates**

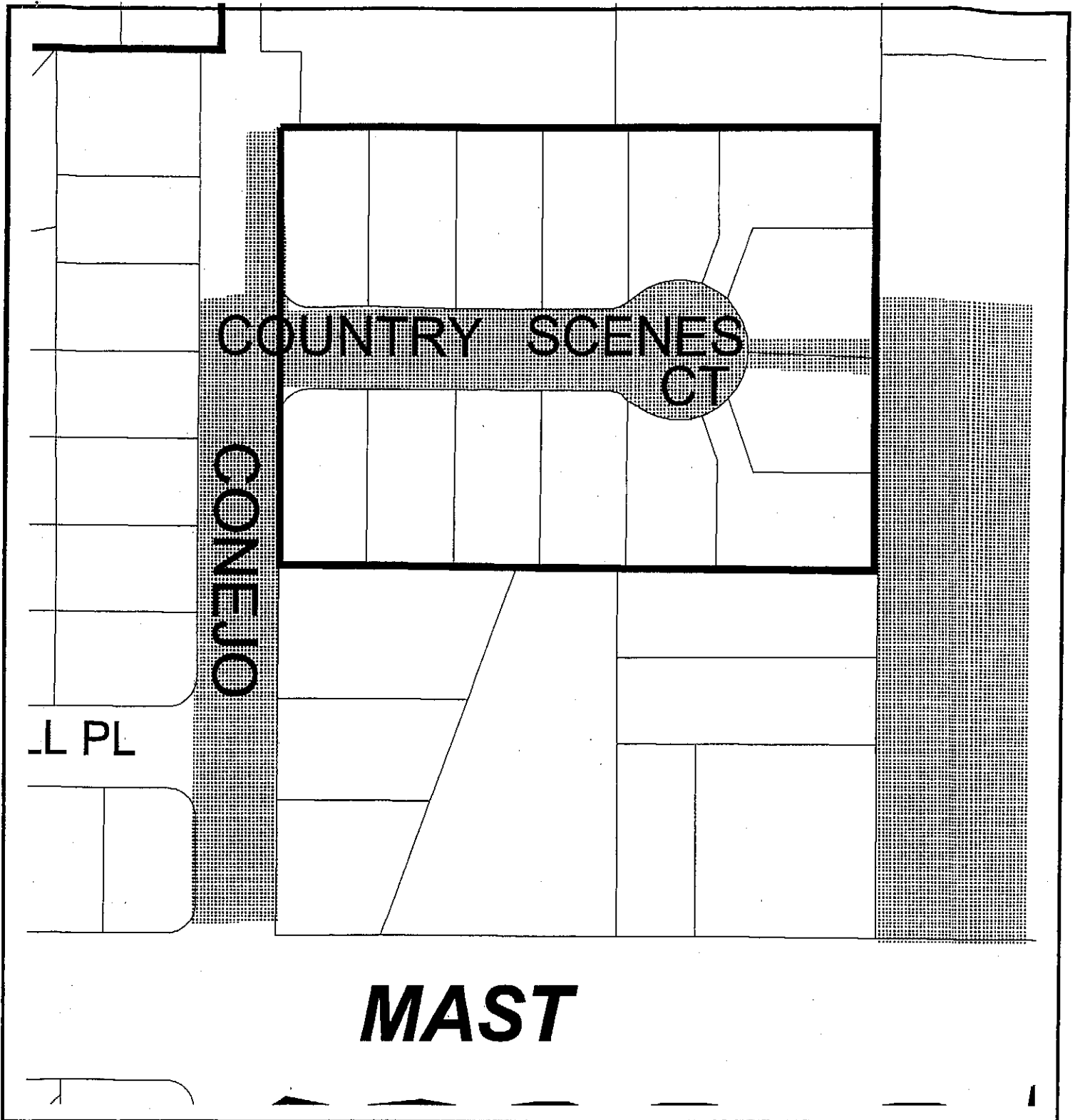
Notice: The scale and configuration of this map are approximate only and are not intended as a guide for design or survey work.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.



The City of Santee  
Department of Development Services



5001 S. Imperial Avenue  
Santee, CA 92071  
(619) 594-1000



**MAST**

THE CITY OF SANTEE

**Santee Landscape Maintenance District  
Zone 3- Country Scenes**

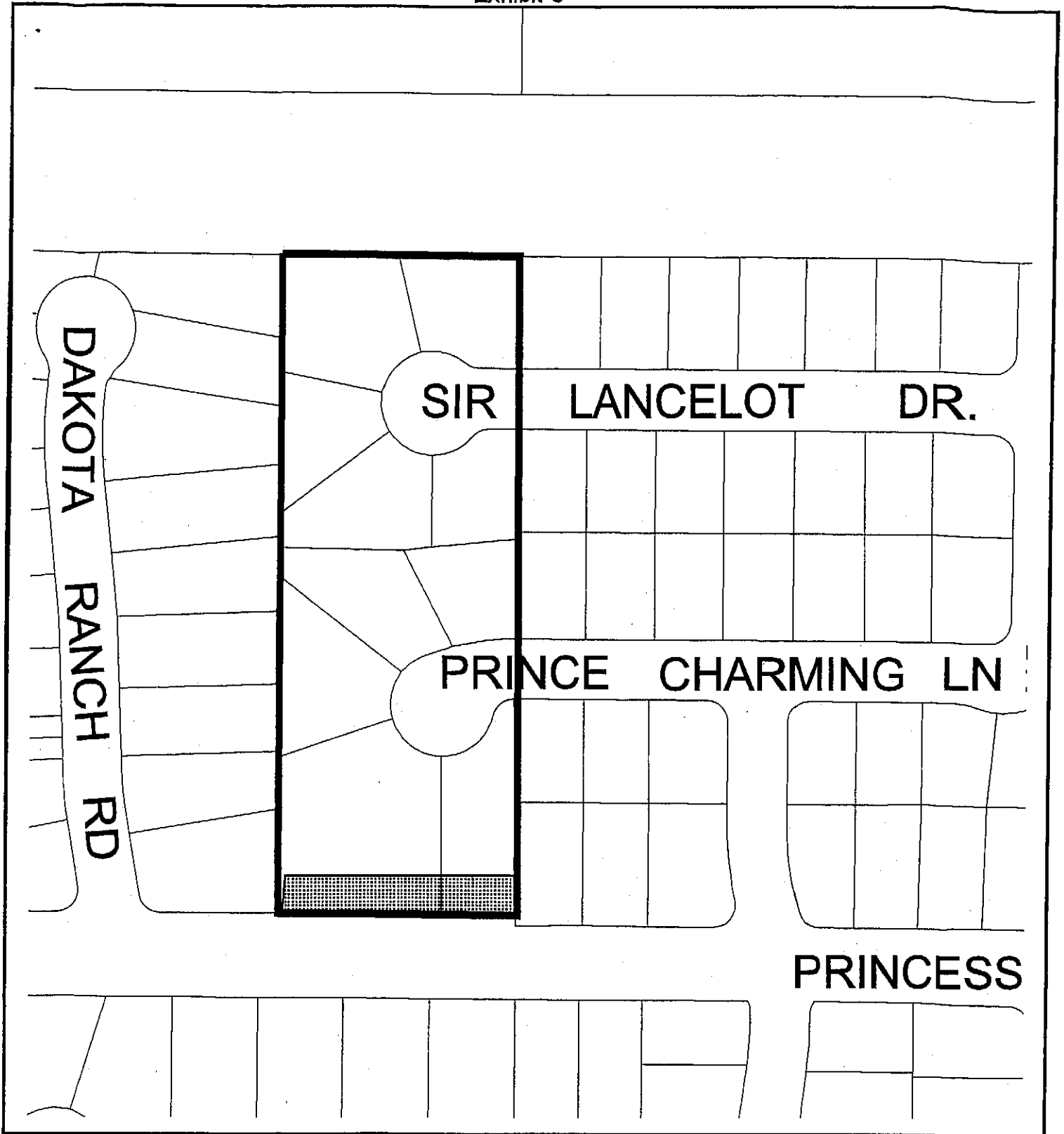
Notes: The scale and configuration of this map are approximate only and are not intended as a guide for design or survey work.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.



The City of Santee  
Department of Development Services



10075 Elginville Avenue  
Santee, CA 92071  
(619) 441-6100



THE CITY OF SANTEE

**Santee Landscape Maintenance District  
Zone 4 - Camelot Heights**

Notice: The scale and configuration of this map are approximate only and are not intended as a guide for design or engineering work.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.

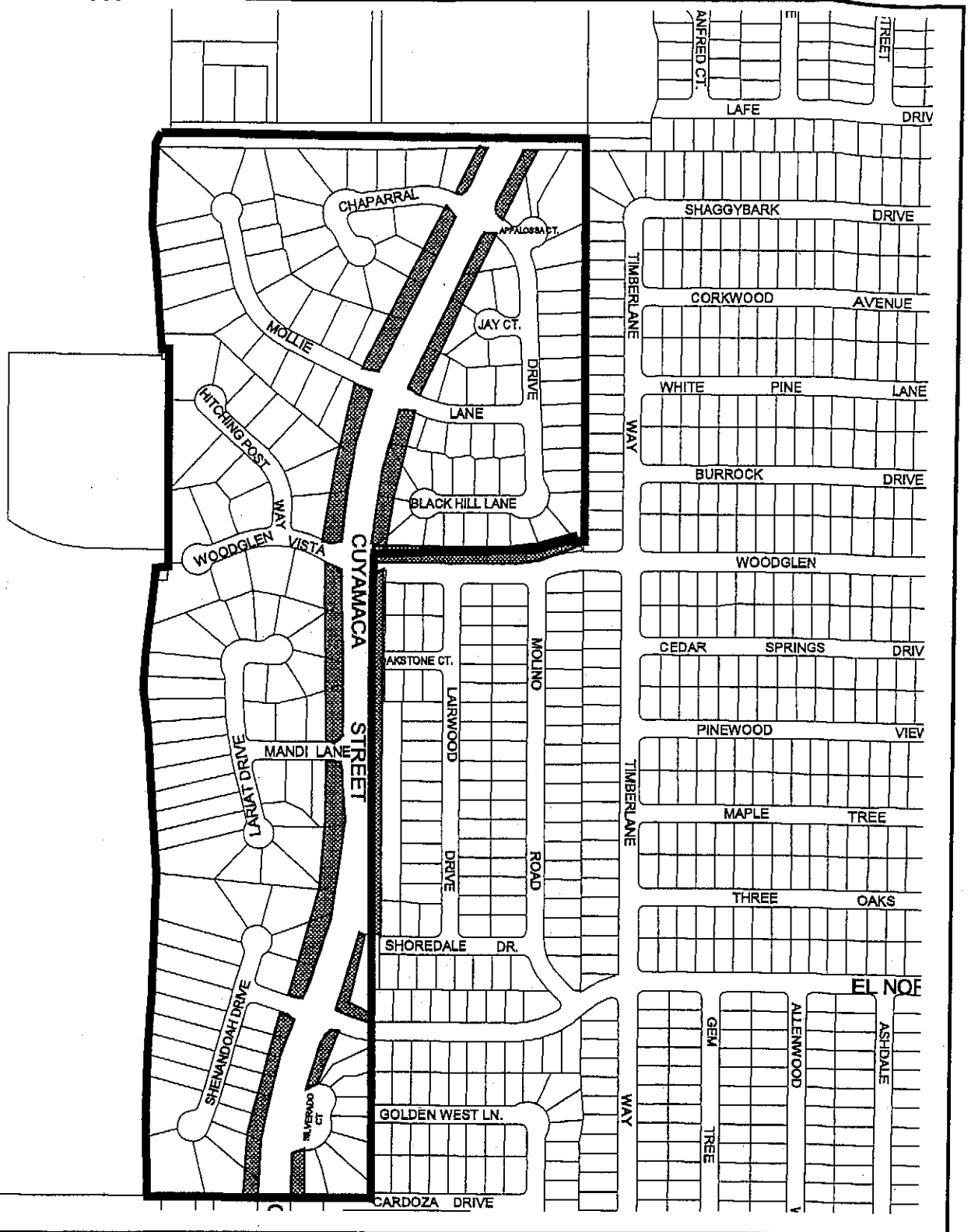


The City of Santee  
Department of Development Services



5001 Broadway Avenue  
Santee, CA 92081  
(619) 444-4100

# EXHIBIT D



THE CITY OF SANTEE

## Santee Landscape Maintenance District Zone 8 - Silver Country Estates

15

Notes: The scale and configuration of this map are approximate only and are not intended as a guide for design or survey work.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.



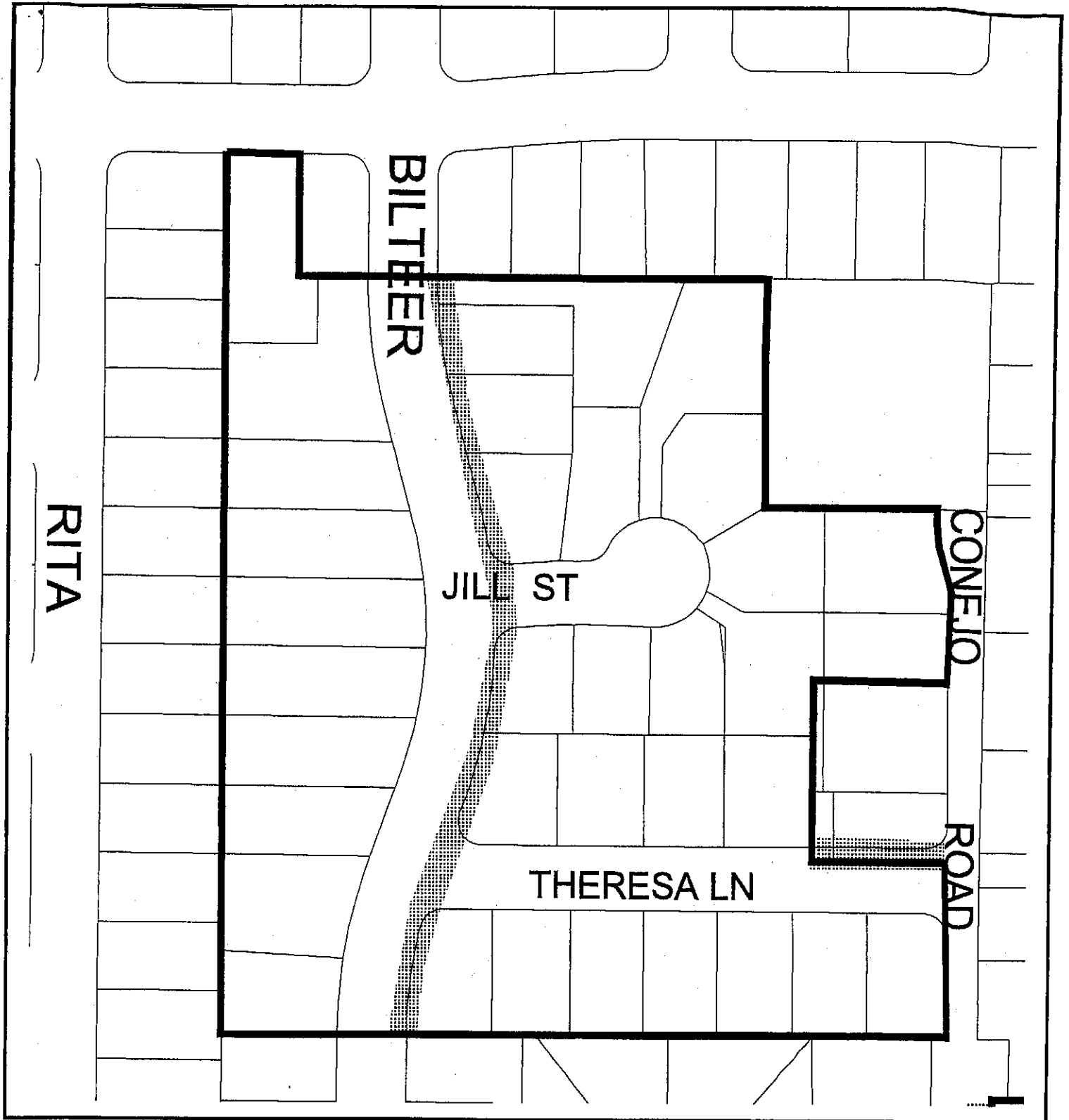
The City of Santee  
Department of Development Services



1001 Magnolia Avenue  
Santee, CA 92091  
(619) 444-1000

File Date: April 2004

# EXHIBIT E



THE CITY OF SANTEE

## Santee Landscape Maintenance District Zone 9 - Mattazaro/Timberlane

Notes: The scale and configuration of this map are approximate only and are not intended as a guide for design or survey work.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.



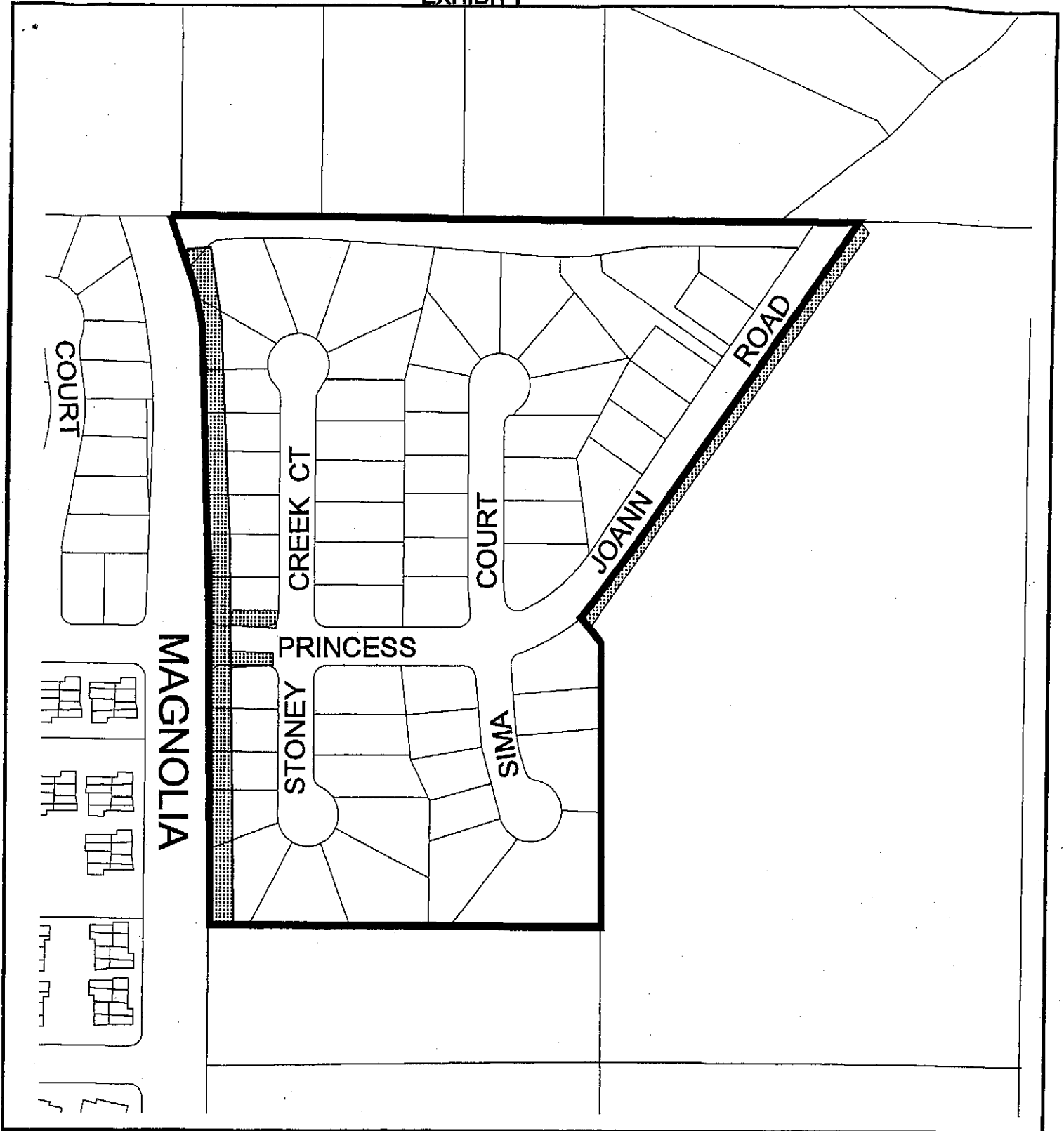
The City of Santee  
Department of Development Services



30001 Magnolia Avenue  
Santee, CA 92071  
(619) 446-1100



# EXHIBIT F



THE CITY OF SANTEE

## Santee Landscape Maintenance District Zone 12 - Magnolia Heights

Note: The scale and configuration of this map are approximate only and are not intended as a guide for design or survey work.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.



The City of Santee  
Department of Development Services



10001 Shaverly Avenue  
Santee, CA 92071  
(619) 449-1200

# EXHIBIT G



## THE CITY OF SANTEE

### ***Santee Landscape Maintenance District Zone 13 - Prospect Hills***

Notes: The scale and configuration of this map are approximate only and are not intended as a guide for design or engineering.  
This map is periodically updated. All information should be verified with the City of Santee Development Services Department.

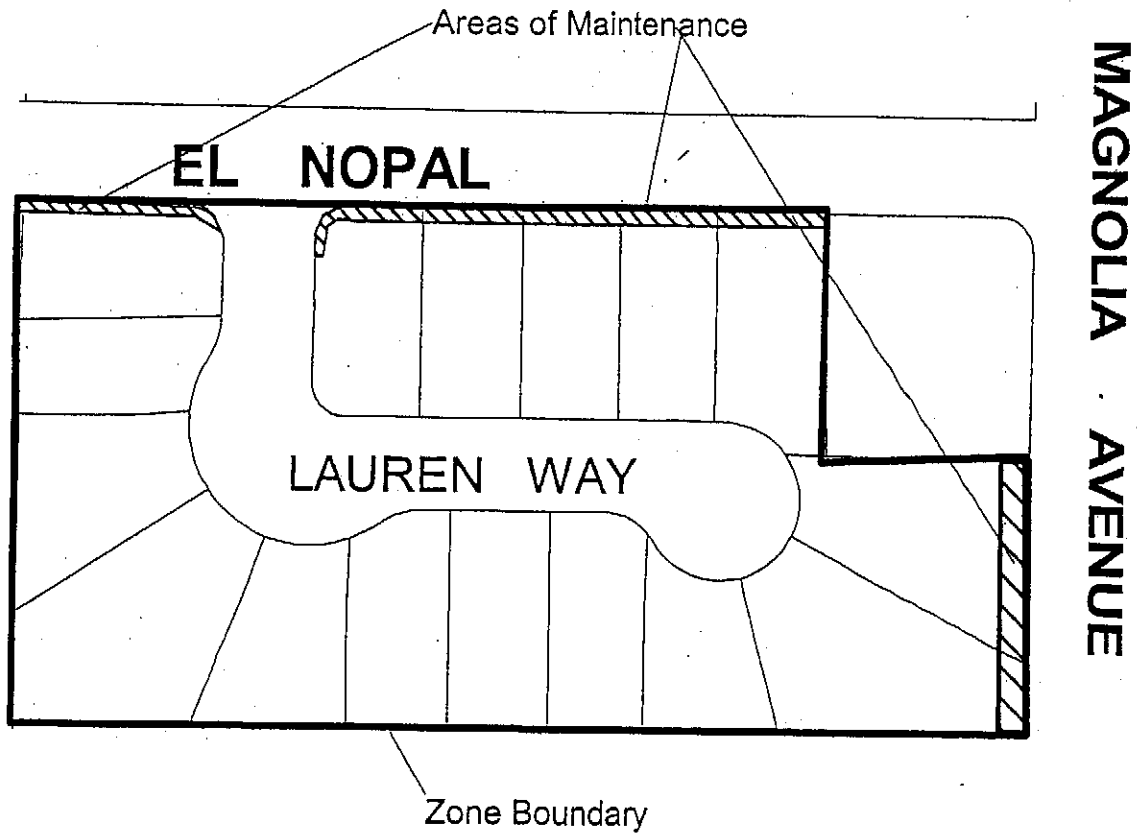


**The City of Santee  
Department of Development Services**



10001 Magnolia Avenue  
Santee, CA 92081  
(619) 291-4100

EXHIBIT H



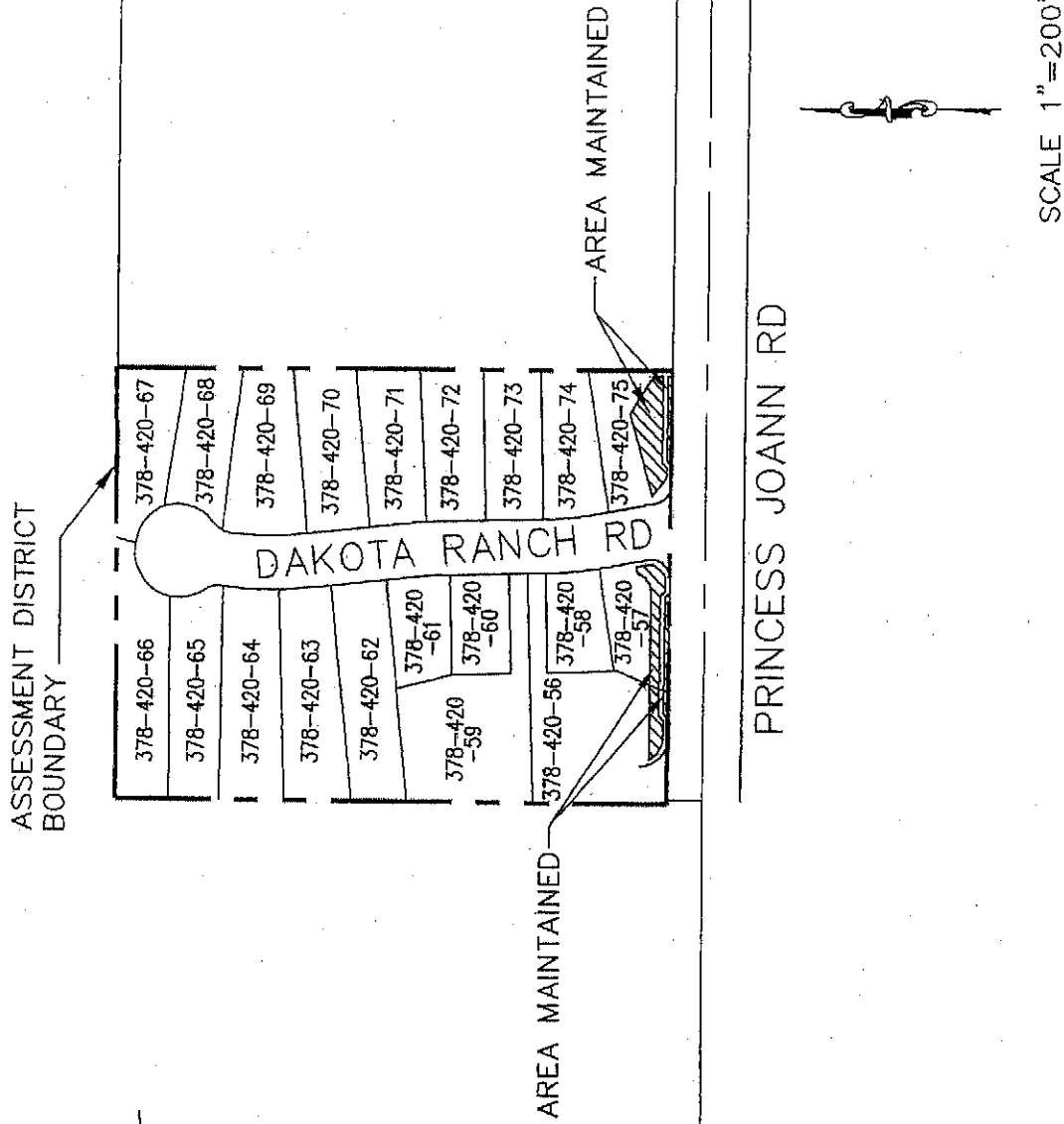
**City of Santee  
Vicinity Map**

Santee Landscape Maintenance District  
Zone 14- Mitchel Ranch



No Scale

## EXHIBIT I

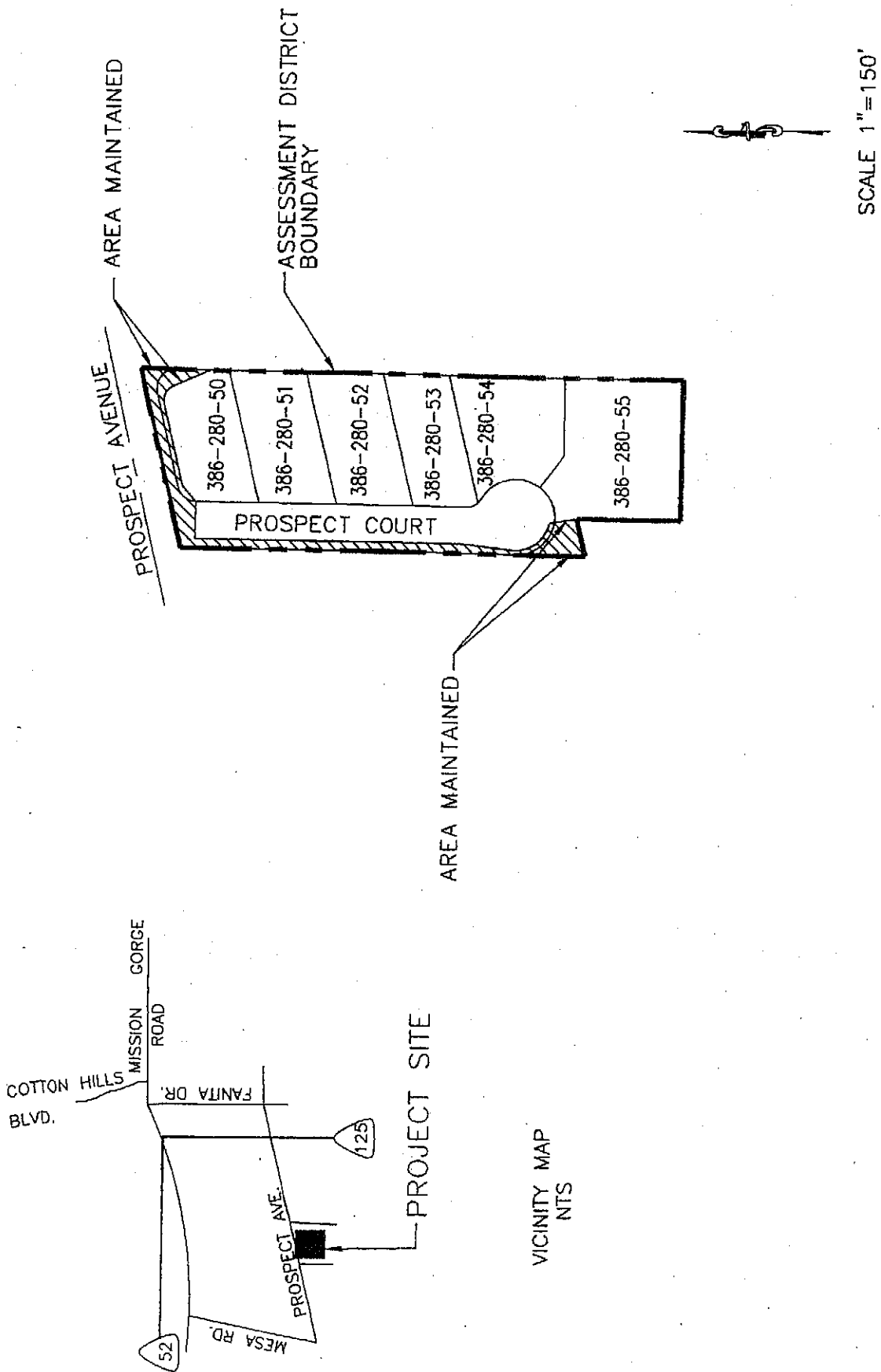


SCALE 1"=200'

PRINCESS JOANN RD

LANDSCAPE MAINTENANCE DISTRICT  
ZONE 17 - DAKOTA RANCH





LANDSCAPE MAINTENANCE DISTRICT  
ZONE 18-ALLOS



HARRIS & ASSOCIATES

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO.** 2C

**ITEM TITLE** PUBLIC HEARING FOR THE FY2007-08 SANTEE ROADWAY LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

**DIRECTOR/DEPARTMENT** Tim K. McDermott, Director of Finance

**SUMMARY** On April 25, 2007, the Council initiated proceedings and ordered the preparation of an Engineer's Report for the FY2007-08 Santee Roadway Lighting District ("SRLD") levy of assessments. On May 23, 2007, the Council approved the Engineer's Report and set tonight's meeting as the time and place for the required Public Hearing.

The SRLD has two zones, each with separate funding sources.

- Zone A is contiguous with the City's boundaries; i.e., all properties in the City are also within Zone A. Zone A contains lights of "general benefit" generally located on Circulation Element streets.
- Zone B comprises numerous areas throughout the City, and contains all other lights defined as having "local benefit."

The financing of street light energy, maintenance and administration for both Zone A and Zone B has been obtained from two sources: an ad valorem property tax designated for street lighting purposes (Zone A), and a special benefit assessment (Zone B).

Eight new lights are being added to SRLD for FY2007-08, with the majority of these lights installed as part of new residential and commercial development throughout Santee.

Based on projected increases in the cost of electricity, repairs and maintenance, the proposed assessment in Zone B has increased in FY2007-08 by \$1.28 per household/benefit unit to \$14.06. This is the first increase in the SRLD since FY2001-02. Due to a general increase in property tax revenues in Zone A, there will continue to be no assessment in Zone A.

Council action is needed following the closure of tonight's Public Hearing. This action is comprised of adopting the attached Resolution confirming the assessment diagram and levy for FY2007-08.

### **FINANCIAL STATEMENT**

SRLD's FY2007-08 draft operating budget totals \$549,800. Proposed assessments and property tax revenues will be sufficient to meet these needs.

### **RECOMMENDATION**

- 1) Conduct and close Public Hearing.
- 2) Adopt Resolution.

### **ATTACHMENTS (Listed Below)**

Resolution  
Engineer's Report

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE  
CONFIRMING AN ASSESSMENT MAP AND ASSESSMENT AND PROVIDING  
FOR THE FY2007-08 SANTEE ROADWAY LIGHTING DISTRICT  
ANNUAL LEVY OF ASSESSMENTS**

---

**WHEREAS**, the City Council of the City of Santee, has initiated proceedings for the annual levy of the assessments for a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **SANTEE ROADWAY LIGHTING DISTRICT** ("District"); and

**WHEREAS**, the City Council has ordered the preparation of an Engineer's Report ("Report") and the Director of Finance filed with this City Council said Report pursuant to the Law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments for the next ensuing fiscal year relating to the District, and further did proceed to give notice to the time and place for a Public Hearing on all matters relating to said annual levy of the proposed assessment; and

**WHEREAS**, at this time this City Council has heard all testimony and evidence, and is desirous of proceeding with said annual levy of assessments.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Santee:

**SECTION 1.** That the above recitals are all true and correct.

**SECTION 2.** That upon the conclusion of the Public Hearing, written protests filed and not withdrawn did not represent property owners owning more than fifty percent of the area of assessable lands within the District, and said protests are overruled and denied.

**SECTION 3.** That this City Council hereby confirms the assessment map and assessment as submitted and orders the annual levy of the assessment for street lighting purposes for the ensuing fiscal year and in the amounts as set forth in the Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

**SECTION 4.** That the assessment map and assessment for street lighting purposes as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

**SECTION 5.** That the adoption of this Resolution constitutes the levy of the assessment for the Fiscal Year 2007-08.

**SECTION 6.** That the estimates of costs, assessment map, the assessments and all other matters as set forth in said Report, pursuant to the Law, as submitted, are hereby approved, adopted and confirmed by this City Council.

**SECTION 7.** That the maintenance of improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County of San Diego Auditor shall enter on the County of San Diego Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by the County of San Diego, the net amount of the assessment shall be paid to the Director of Finance of said City.

**SECTION 8.** That the Director of Finance has established a special fund known as the **SANTEE ROADWAY LIGHTING DISTRICT** into which the Director of Finance shall place all monies collected by the County of San Diego Tax Collector pursuant to the provisions of this Resolution and Law, and said transfer shall be accomplished as soon as said monies have been made available to said Director of Finance.

**SECTION 9.** That the City Clerk is hereby ordered and directed to file a certified copy of the assessment map and assessment roll with the County of San Diego Auditor, together with a certified copy of this Resolution upon its adoption.

**SECTION 10.** That a certified copy of the assessment map and assessment roll shall be filed in the office of the Director of Finance, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

**ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
**RANDY VOEPEL, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**LINDA A. TROYAN, CITY CLERK**





***ENGINEER'S REPORT***

***FOR***

***SANTEE ROADWAY  
LIGHTING DISTRICT***

***Fiscal Year 2007-08***

***Prepared for:***

***CITY OF SANTEE***

***Prepared by:***



**Harris & Associates<sup>sm</sup>**

***May 16, 2007***



**Harris & Associates**

Program Managers  
Construction Managers  
Civil Engineers

May 16, 2007

Mr. Brian Seinturier  
Finance Manager  
City of Santee  
10601 Magnolia Avenue  
Santee, CA 92071

**Subject: Engineer's Report for Santee Roadway Lighting District  
Fiscal Year 2007-08**

Dear Mr. Seinturier:

Attached is the Engineer's Report for the Santee Roadway Lighting District prepared in accordance with the Landscape and Lighting Act of 1972 ('72 Act).

As in prior years, this Engineer's Report addresses street lighting in both Zone A and Zone B of the District. Based on the information available to date, we recommend that the benefit assessment for a single family home in Zone B (local street lighting) be \$14.06 per year; i.e., one (1) Benefit Unit equals \$14.06. No assessment is to be levied on Zone A.

The final assessment information must be provided to the County of San Diego for inclusion on the appropriate tax bills by August 1, 2007.

We appreciate the cooperation the City of Santee has shown during the course of our work. If we can be of further assistance, please give us a call.

Sincerely,

**Harris & Associates**

Jeffrey M. Cooper, P.E.  
Senior Vice President

## TABLE OF CONTENTS

	<u>PAGE</u>
LETTER OF TRANSMITTAL	i
TABLE OF CONTENTS	ii
*****	
ENGINEER'S REPORT	1
ATTACHMENT A – BOUNDARY MAP	4
ATTACHMENT B – DISTRICT FINANCING	5
ATTACHMENT C – BENEFIT ASSESSMENTS BY PARCEL	7
ATTACHMENT D – DERIVATION OF LAND USE FACTOR	8





# ENGINEER'S REPORT

## FISCAL YEAR 2007-08

The City of Santee formed the Santee Roadway Lighting District on May 24, 1982. The District is an Assessment District formed for the purpose of installing, operating, and maintaining public lighting facilities within the City. The District contains all the territory within the boundaries of the City of Santee.

The City Attorney for the City of Santee has determined that the Santee Roadway Lighting District is exempt from the requirements of Proposition 218, the "Right to Vote on Taxes Act."

### DESCRIPTION OF THE ZONES

The District contains two zones with the following designations: one zone containing all the street lights of general benefit; one zone containing all the street lights of local benefit. The two zones are designated as Zone A and Zone B, respectively. (See Attachment A.)

**Zone A** contains all the territory in the City limits of Santee. Within Zone A, there are 1,047 street lights of general benefit<sup>1</sup> only. No assessment is proposed for Zone A as the costs of street light operation and maintenance are financed by ad valorem taxes.

**Zone B** contains the areas within the City that are presently served by street lights of local benefit<sup>2</sup>. There are 1,692 lights within Zone B areas.

The area in Zones A and B contains the existing street lighting system consisting of lights owned by both San Diego Gas and Electric Company and the District.

The boundary of Zone B has been changed this fiscal year to include territories that are required by the subdivision process to install street lights of local benefit.

### DISTRICT FINANCING

The financing of street lighting costs for both Zone A (general benefit) and Zone B (local benefit) has been obtained from two sources. These sources have been a portion of the ad valorem property tax designated for street lighting purposes for Zone A, and benefit assessment for Zone B.

---

<sup>1</sup> Street Lights of General Benefit. These are lights located in circulation element streets.

<sup>2</sup> Street Lights of Local Benefit. These are lights generally known as lights on residential, commercial and industrial streets.



Last fiscal year (fiscal year 2006-07), lights in Zone A were financed from ad valorem taxes totaling \$237,204. No benefit assessment was used. Lights in Zone B were financed from a benefit assessment of \$248,568.

As in prior years, it is proposed again for fiscal year 2007-08 that no benefit assessment be levied for Zone A street lighting. It is estimated that the total energy cost will be approximately 6.7% greater than the prior fiscal year's adopted budget. The ad valorem taxes for Zone A may be only slightly higher than last year as property tax proceeds flowing to the City may be affected by State budget actions and/or because of changes in property values in the City.

It is recommended that the Zone B street lighting benefit assessment for a single family home be \$14.06 per year; i.e., one (1) Benefit Unit equals \$14.06. In Fiscal Year 2006-07, the benefit assessment for a single family home was \$12.78 per year.

A detailed listing of costs and funding is included as Attachment "B".

### **BENEFIT CHARGE FORMULA**

The amount of the estimated assessment on each lot or parcel of land in the District is in proportion to the estimated benefit to be received by each such lot or parcel of land from the use of the streets and their appurtenances, such as street lights. The use or benefit of a public street is best determined by the use of the land adjacent to the public street. Each lot or parcel of land in the District has been determined to have a specific land use<sup>3</sup> by the City of Santee Department of Development Services. Each type of actual land use was assigned a land use factor derived from trip generation rates, developed by the Transportation Planning Division of the City of San Diego's Planning Department. These factors are based on a compilation of trip generation studies done in San Diego and other Western U.S. locations. Please refer to Attachment "D" for the assigned land use factors.

The land use factor is multiplied by the number of dwelling units for parcels classified as residential, or the number of acres for other land use classifications. The product of this multiplication is the number of benefit units for each lot or parcel of land to be assessed. The sum of all the benefit units for each of the lots or parcels of land in each zone is divided into the total amounts to be generated by assessments (\$0 proposed for Zone A and \$273,900 proposed for Zone B) to arrive at the amount assessed to each benefit unit. The amount per benefit unit is then multiplied by the number of benefit units for each of the lots or parcels of land to establish the benefit charge for that lot or parcel of land. The estimated assessment for each parcel is indicated in Attachment "C".

The recommended assessment this year is \$14.06 per Benefit Unit for parcels in Zone B. The latest Assessor's information related to parcel size and parcel number (available in mid-July 2007) will be used to determine the final assessment.

---

<sup>3</sup> If there are any questions as to the actual land use assigned to property, please contact the Special Districts section of the County of San Diego's Department of Public Works at (858) 694-2198.



The actual assessments will be on file with this report no later than August 1, 2007. The listing is in numerical order using the County of San Diego Assessor's parcel number as a distinctive number for each lot or parcel of land. The Assessor's parcel number for a particular lot or parcel of land may be obtained by calling the Assessor's office at (619) 236-3771, and asking for the parcel number of a particular parcel by giving the property owner's name and/or situs address.

The property lines and dimensions of each lot or parcel of land within the Lighting District are shown in detail on the County of San Diego Assessor's maps, on file in the County Assessor's Office, 1600 Pacific Highway, Room 103, San Diego, CA 92101.

The City Council will not assess governmental agencies owning real property within the Lighting District, because if the assessment is not paid by the owner agency, the City by law is then responsible for paying the assessment.

The City Council has also determined that real property owned by San Diego Gas and Electric Company and Pacific Bell shall be assessed to the same extent and in the same manner as other taxable parcels in the Lighting District.

Respectfully submitted,

**HARRIS & ASSOCIATES**

By   
Jeffrey M. Cooper, P.E.  
R.C.E. No. 31572



**ATTACHMENT A**

**SANTEE ROADWAY LIGHTING DISTRICT**

**BOUNDARY MAP**

Available at:

Development Services Department  
CITY OF SANTEE  
10601 Magnolia Avenue  
Santee, California 92071

## ATTACHMENT B

### SANTEE ROADWAY LIGHTING DISTRICT DISTRICT FINANCING

	FY 2006-07 Projected	FY 2007-08 Proposed
<b>Estimated Revenue</b>		
Property Tax	\$ 237,204	\$ 252,600
Assessment	\$ 248,568	\$ 273,900
Investment Income	\$ 13,107	\$ 10,500
Other	\$ 459	\$ -
<b>Total Estimated Revenue</b>	\$ 499,338	\$ 537,000
<b>Total Expenditures</b>		
Gas and electricity	\$ 403,459	\$ 449,900
Repairs	\$ 80,949	\$ 84,900
Materials and supplies	\$ -	\$ 1,000
Data processing	\$ -	\$ 1,000
Engineering	\$ 5,483	\$ 6,000
Administrative overhead (IS Charge)	\$ 7,000	\$ 7,000
Parking Lot Light Imp- Parks	\$ 50,000	\$ -
<b>Total Estimated Expenditures</b>	\$ 546,891	\$ 549,800
<b>Reserves, Beginning of Year</b>	\$ 373,410	\$ 325,857
<b>Reserves, End of Year</b>	\$ 325,857	\$ 313,057



## **BREAKDOWN BY ZONE**

	<b>Zone A</b>	<b>Zone B</b>	<b>FY 2007-08 Total</b>
<b>Estimated Revenue</b>			
Property Tax	\$ 252,600	\$ -	\$ 252,600
Assessment	\$ -	\$ 273,900	\$ 273,900
Investment Income	\$ 3,500	\$ 7,000	\$ 10,500
<b>Total Estimated Revenue</b>	<b>\$ 256,100</b>	<b>\$ 280,900</b>	<b>\$ 537,000</b>
<b>Total Expenditures</b>			
Gas and electricity	\$ 213,400	\$ 236,500	\$ 449,900
Repairs	\$ 40,000	\$ 44,900	\$ 84,900
Materials and supplies	\$ -	\$ 1,000	\$ 1,000
Data processing	\$ -	\$ 1,000	\$ 1,000
Engineering	\$ -	\$ 6,000	\$ 6,000
Administrative overhead (IS Charge)	\$ 2,000	\$ 5,000	\$ 7,000
<b>Total Estimated Expenditures</b>	<b>\$ 255,400</b>	<b>\$ 294,400</b>	<b>\$ 549,800</b>
<b>Reserves, Beginning of Year</b>	<b>\$ 94,928</b>	<b>\$ 230,929</b>	<b>\$ 325,857</b>
<b>Reserves, End of Year</b>	<b>\$ 95,628</b>	<b>\$ 217,429</b>	<b>\$ 313,057</b>

## **ATTACHMENT C**

### **SANTEE ROADWAY LIGHTING DISTRICT**

#### **BENEFIT ASSESSMENTS BY PARCEL**

Available at:

Development Services Department  
CITY OF SANTEE  
10601 Magnolia Avenue  
Santee, California 92071



## **ATTACHMENT D**

### **DERIVATION OF LAND USE FACTOR**

1. Each parcel of land in the lighting district was determined to have a specific land use by the City of Santee Department of Development Services.
2. Each type of land use was assigned a land use factor determined by trip generation rates by land use as they relate to a single family residential land use. The trip generation rates by land use were prepared by the City of San Diego Transportation Planning Division, Planning Department and are a compilation of trip generation studies done in San Diego and other western U.S. locations.
3. If a land use was not included in the study, the City of Santee Department of Development Services made a determination as to its probable trip generation compared to single family residential and assigned a land use factor on that basis.
4. Single family residential land use was assigned a land use factor of 1.0, notwithstanding its size. The theory is that all single family residences, notwithstanding parcel size, generate approximately the same number of trips, and therefore, receive the same benefit from the use of the streets, and their appurtenances such as street lights.
5. Determination of the land use factors other than single family residential are based upon the average number of trips generated per acre or per dwelling unit for a specific land use divided by the average number of trips generated per acre or per dwelling unit for a single family residential dwelling.

A complete listing of these factors is shown on page nine (9).

# CITY OF SANTEE

## BENEFIT UNITS / LAND USE CODES

BENEFIT UNITS	LAND USE CODE	DESCRIPTION	BENEFIT UNITS	LAND USE CODE	DESCRIPTION
0.0	00	Unzoned	1.0	46	Small automotive garages
0.1	07	Timeshare	2.0	47	Industrial condominiums
0.0	09	Mobilehome (Force)	2.0	49	Special/misc. industrial
0.0	10	Vacant Residential	0.0	50	Vacant irrigated
1.0	11	Single Family Residence	0.1	51	Citrus
1.0	12	Duplex or Double	0.1	52	Avocados
1.0	13	Residential 2-4 Units/2 Houses	0.2	53	Vines
1.0	14	Residential 5-15 Units	0.1	54	Miscellaneous trees
1.0	15	Residential 16-60 Units	0.1	55	Livestock
1.0	16	Residential 61 units and up	0.1	56	Poultry
1.0	17	Condominium	0.1	57	Misc. irrigated crops
1.0	18	Co-op	0.1	58	Growing houses
1.0	19	Miscellaneous residential	0.1	59	Special/misc. irrigated
0.0	20	Vacant commercial	0.1	61	Non-irrigated 1-10 Ac.
10.0	21	1-3 story misc. store buildings	0.1	62	Non-irrigated 11-40 Ac.
10.0	22	4 story & up office/store buildings	0.1	63	Non-irrigated 41-160 Ac.
14.0	23	Regional shopping center	0.1	64	Non-irrigated 161-360 Ac.
22.0	24	Community shopping center	0.1	65	Non-irrigated 361 Ac. & up
33.0	25	Neighborhood shopping center	0.0	70	Vacant Institutional
22.0	26	Hotel, motel	2.0	71	Church
33.0	27	Service station	1.0	72	Church parking/related
25.0	28	Medical, dental, animal hospital	0.1	73	Cemetery
6.0	29	Conv. Hospital, rest home	0.1	74	Mausoleum
10.0	30	Office condominiums	0.1	75	Mortuary
22.0	31	Parking lot, garage, used car lot	1.0	76	Public building (fire, school, library)
0.5	32	Trailer park (Force # spaces)	6.0	77	Hospital
22.0	33	Theater	1.0	79	Special/misc. institutional
22.0	34	Bowling alley	0.0	80	Vacant recreational
22.0	35	Restaurant	2.0	81	Meeting hall, gym
22.0	36	Car wash	0.2	82	Golf course
22.0	37	Large chain grocery/drug store	0.4	83	Marina, dock
11.0	38	Auto sales & service agency	1.0	84	Recreational camps
11.0	39	Misc. commercial, radio station, bank, et al	0.0	85	Non-tax recreational
0.0	40	Vacant industrial	0.0	86	Open space easements
1.0	41	Factory - light manufacturing	0.1	87	Agr. preserve (no contract)
3.0	42	Factory - heavy manufacturing	0.1	88	Agr. preserve (contract)
2.0	43	Warehouse - process or storage	1.0	89	Special/misc. recreational
2.0	44	Bulk Storage (tanks, etc.)	0.0	90	Vacant taxable government property
3.0	45	Extractive & Mining	1.0	91	Improved taxable government property



**MEETING DATE**

June 13, 2007

**AGENDA ITEM NO. 3A****ITEM TITLE**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADDING CHAPTER 5.15 TO THE SANTEE MUNICIPAL CODE ESTABLISHING FRANCHISE AND PEG FEES AND CUSTOMER SERVICE PENALTIES FOR STATE FRANCHISE HOLDERS PROVIDING VIDEO SERVICE WITHIN THE CITY OF SANTEE**

**DIRECTOR/DEPARTMENT**

Kathy Valverde, Assistant to the City Manager

**SUMMARY**

A new state law, the Digital Infrastructure and Video Competition Act of 2006 (AB 2987) recently went into effect on January 1, 2007. This new law gives the State of California sole franchising authority for new cable service providers, and as such, holders of a statewide cable franchise are no longer required to negotiate with local jurisdictions. Currently, both AT&T and Verizon hold statewide franchises and are eligible to provide cable service within the City of Santee, if they choose, with at least 10 days notice.

The City will retain authority, without change, over the current franchise with Cox Communications unless and until one of the following events occur: (1) the franchise expires on December 28, 2011; (2) the franchise terminates earlier by mutual agreement; or (3) a state franchisee gives notice that it is entering our local market. In other words, if AT&T or Verizon were to notify the City that they were entering the Santee market area, Cox Communications could seek a state franchise, which would replace the City's franchise.

*(Summary continued on next page)*

**FINANCIAL STATEMENT**

In the absence of this Ordinance, Santee could lose franchise revenue in the event a new service provider with a state franchise announced it was entering the market. On the other hand, with this Ordinance in place, Santee's current franchise revenue is not anticipated to increase or decrease significantly with the emergence of new cable service providers. With the City's current negotiated franchise fee of 5% with Cox Communications, revenues would most likely be diverted from one service provider to another assuming the number of Santee customers remained fixed. Additional revenue in the future is restricted because the City will no longer have the authority to negotiate the amount of the franchise or PEG fees.

**RECOMMENDATION**

Introduce and conduct first reading of the Ordinance.

**ATTACHMENTS (Listed Below)**

Ordinance for first reading.

Page 2

June 13, 2007

Item Title: An Ordinance of the City Council of the City of Santee, California, Adding Chapter 5.15 to the Santee Municipal Code Establishing Franchise and PEG Fees and Customer Service Penalties for State Franchise Holders Providing Video Service within the City of Santee

## **SUMMARY** *(continued)*

Although the state has sole franchising authority, the law does give certain rights and responsibilities to local jurisdictions. Under these rights, the City is entitled to:

- A fee of 5% of gross revenues for each state franchisee which operates within the City of Santee for use of the public rights-of-way.
- The right to review the business records of a state franchisee annually to ensure compliance with the payment of these fees.
- The authority to establish and enforce penalties for violations of customer service rules consistent with state law.

Before these rights can become effective and enforceable against state franchise holders, they must be established by local ordinance. The attached Ordinance incorporates these rights and includes what we believe to be the City's remaining authority with respect to holders of a statewide cable franchise.

The City's authority to regulate right-of-way encroachments by cable providers is a separate administrative issue that is not addressed by this Ordinance, but will be addressed through code amendments and procedural revisions, which will be brought forward to City Council as required.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,  
CALIFORNIA, ADDING CHAPTER 5.15 TO THE SANTEE MUNICIPAL CODE  
ESTABLISHING FRANCHISE AND PEG FEES AND CUSTOMER SERVICE  
PENALTIES FOR STATE FRANCHISE HOLDERS PROVIDING VIDEO SERVICE  
WITHIN THE CITY OF SANTEE**

**WHEREAS**, new state law, the Digital Infrastructure and Video Competition Act of 2006 (AB 2987) went into effect January 1, 2007;

**WHEREAS**, under the new state law, the State of California shall have sole franchising authority for new video service providers within the City of Santee; and

**WHEREAS**, the City of Santee, although not the franchising authority, will acquire certain rights and responsibilities with respect to the new state video franchise holders; and

**WHEREAS**, pursuant to AB 2987, certain rights and responsibilities must be established by local ordinance before they may become effective and enforceable against state video franchise holders; and

**WHEREAS**, the City of Santee shall receive a fee of 5% of gross revenues of each state video franchisee which operates within the City of Santee for use of the public rights-of-way; and

**WHEREAS**, the City of Santee shall receive an additional fee of 1% of gross revenues of each state video franchisee which operates within the City of Santee for Public, Educational and Government ("PEG") purposes; and

**WHEREAS**, the City of Santee may audit the business records of a state video franchisee once annually to ensure compliance with the payment of the franchise and PEG fees; and

**WHEREAS**, the City of Santee may establish and enforce penalties against state video franchisees for violations of customer service rules consistent with state law; and

**WHEREAS**, the City of Santee will retain authority, without change, over the City's current cable franchisee until such time as it no longer holds a City franchise, or is no longer operating under a current or expired City franchise; and

**WHEREAS**, the terms "video service" and "video franchise" shall have the same meaning as the terms "cable service" and "franchise" as defined in Santee Municipal Code section 5.14.010.

**NOW THEREFORE**, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

**Section 1.** The following Chapter is hereby added to the Santee Municipal Code:

## **Chapter 5.15: Regulation of State Video Franchise Holders**

### **Section 5.15.010 "Purpose and Authority"**

This Chapter is designed to regulate video service providers holding state video franchises and operating within the City. As of January 1, 2007, the State of California has the sole authority to grant state video franchises pursuant to the Digital Infrastructure and Video Competition Act of 2006 ("Act"). Pursuant to the Act, the City of Santee shall receive a franchise fee and shall receive a fee for public, educational and government ("PEG") purposes from all state video franchise holders operating within the City. Additionally, the City will acquire the responsibility to establish and enforce penalties, consistent with state law, against all state video franchise holders operating within the City for violations of customer service standards, but the Act grants all authority to adopt customer service standards to the state. The Act leaves unchanged the City's authority to regulate the City's current cable franchise in accordance with Chapter 5.14 of this Code and the cable franchise currently in effect until such time as the cable franchisee no longer holds a City franchise or is no longer operating under a current or expired City franchise.

### **Section 5.15.020 "State Video Franchise and PEG Fees"**

(a) For any state video franchise holder operating within the boundaries of the City of Santee, there shall be a fee paid to the City equal to five percent (5%) of the gross revenue of that state video franchise holder.

(b) For any state video franchise holder operating within the boundaries of the City of Santee, there shall be an additional fee paid to the City equal to one percent (1%) of the gross revenue of that state video franchise holder, which fee shall be used by the City for PEG purposes consistent with state and federal law.

(c) Gross revenue, for the purposes of (a) and (b) above, shall have the definition set forth in California Public Utilities Code 5860.

### **Section 5.15.030 "Audit Authority"**

Not more than once annually, the City Manager or his designee may examine and perform an audit of the business records of all holders of a state video franchise operating within the boundaries of the City of Santee to ensure compliance with Section 5.15.020 of this Code.



**Section 5.15.040** "Customer Service Penalties Under State Video Franchises"

(a) Any holder of a state video franchise operating within the boundaries of the City of Santee shall comply with all applicable state and federal customer service and protection standards pertaining to the provision of video service.

(b) The City Manager shall monitor the compliance of holders of a state video franchise operating within the boundaries of the City of Santee with respect to state and federal customer service and protection standards. The City Manager will provide the state video franchise holder written notice of any material breaches of applicable customer service standards, and will allow the state video franchise holder 30 days from the receipt of the notice to remedy the specified material breach. Material breaches not remedied within the 30-day time period will be subject to the following penalties to be imposed by the City:

(1) For the first occurrence of a violation, a fine of \$500.00 shall be imposed for each day the violation remains in effect, not to exceed \$1,500.00 for each violation.

(2) For a second violation of the same nature within 12 months, a fine of \$1,000.00 shall be imposed for each day the violation remains in effect, not to exceed \$3,000.00 for each violation.

(3) For a third or further violation of the same nature within 12 months, a fine of \$2,500.00 shall be imposed for each day the violation remains in effect, not to exceed \$7,500.00 for each violation.

(c) A holder of a state video franchise operating within the boundaries of the City of Santee may appeal a penalty assessed by the City Manager to the City Council within 60 days of the initial assessment. The City Council shall hear all evidence and relevant testimony and may uphold, modify or vacate the penalty. The City Council's decision on the imposition of a penalty shall be final.

**Section 5.15.050** "City Response to State Video Franchise Applications"

(a) Applicants for state video franchises within the boundaries of the City of Santee must concurrently provide complete copies to the City of any application or amendments to applications filed with the PUC. At a minimum, one complete copy must be provided to the City Manager.

(b) Within 30 days of receipt, the City Manager will provide any appropriate comments to the PUC regarding an application or an amendment to an application for a state video franchise.

**Section 2.** If any section, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this

Chapter. The City Council of the City of Santee hereby declares that it would have passed this ordinance and adopted this Chapter and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 3.** The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be posted or published in the manner as required by law.

**Section 4.** This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its final passage.

**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, on the \_\_\_\_ day of \_\_\_\_\_, 2007, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

---

**RANDY VOEPEL, MAYOR**

**ATTEST**

---

**LINDA A. TROYAN, MMC, CITY CLERK**

**MEETING DATE**      JUNE 13, 2007

**AGENDA ITEM NO.**   3B

**ITEM TITLE**      FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DESCRIBING THE PROGRAM OF THE CITY OF SANTEE COMMUNITY REDEVELOPMENT COMMISSION REGARDING THE USE OF EMINENT DOMAIN AND AUTHORIZING THE RECORDING OF A REVISED STATEMENT OF PROCEEDINGS, AS REQUIRED BY SENATE BILLS 53 AND 1809

**DIRECTOR/DEPARTMENT**      Keith Till, City Manager

**SUMMARY**

Health & Safety Code section 33342.7, which was added by Senate Bill 53 ("SB 53"), requires a legislative body that adopted a redevelopment plan before January 1, 2007, to adopt an ordinance on or before July 1, 2007, containing a description of the agency's program to acquire real property by eminent domain. The program may, but is not required to, set forth limitations on the agency's power of eminent domain, such as limits on the type or location of property which may be acquired by eminent domain. The use of eminent domain authority has been strictly limited by previous actions of the City Council. For example, the Fifth Amendment to the Redevelopment Plan prohibits the use of eminent domain to acquire residentially zoned property on which a residential use existed as of July 10, 2002. The attached draft ordinance contains a description of the Agency's previously established limitations, regulations and procedures regarding the acquisition of real property by eminent domain. **No use of eminent domain or revisions to existing regulations is proposed with this action.**

Health & Safety Code section 33373, as amended by Senate Bill 1809 ("SB 1809"), requires the City to record, prior to December 31, 2007, a description of the land within the project area and a statement that proceedings for the redevelopment of the project area have been instituted under the Community Redevelopment Law (the "Revised Statement of Proceedings"). If the redevelopment plan authorizes the use of eminent domain, the Revised Statement of Proceedings must also contain a general description of the provisions of the redevelopment plan that authorize the use of the power of eminent domain, and a general description of any limitations on the use of the power of eminent domain contained in the redevelopment plan. An agency shall not commence an action in eminent domain until the Revised Statement of Proceedings is recorded with the county. A draft Revised Statement of Proceedings (Exhibit 1 attached to the draft ordinance) has been prepared in conformance with the requirements of SB 1809.

**FINANCIAL STATEMENT**      N/A

**RECOMMENDATION**

Conduct first reading of attached draft ordinance

**ATTACHMENTS (Listed Below)**

1. Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SANTEE, CALIFORNIA, DESCRIBING THE PROGRAM OF  
THE CITY OF SANTEE COMMUNITY REDEVELOPMENT  
COMMISSION REGARDING THE USE OF EMINENT DOMAIN  
AND AUTHORIZING THE RECORDING OF A REVISED  
STATEMENT OF PROCEEDINGS**

**WHEREAS**, the City Council of the City of Santee, hereinafter referred to as the "City Council," established the Santee Community Redevelopment Project and approved a Redevelopment Plan for the Community Redevelopment Project by Ordinance No. 58, dated July 20, 1982; and

**WHEREAS**, the City Council, via Ordinance No. 392, dated September 8, 1999, amended the Redevelopment Plan for the Santee Community Redevelopment Project ("First Amendment") to extend the time limit to incur debt; and

**WHEREAS**, the City Council, via Ordinance No. 393, dated October 13, 1999, amended the Redevelopment Plan for the Santee Community Redevelopment Project ("Second Amendment") to increase the bonded indebtedness limit; and

**WHEREAS**, the City Council, via Ordinance No. 394, dated October 13, 1999, amended the Redevelopment Plan for the Santee Community Redevelopment Project ("Third Amendment") to reinstate eminent domain authority; and

**WHEREAS**, the City Council, via Ordinance No. 330, dated November 23, 1994, amended the Redevelopment Plan for the Santee Community Redevelopment Project (no formal amendment number was assigned) to add certain time limitations as mandated by Section 33333.6 of the California Community Redevelopment Law (added by Chapter 942, 1993 Statutes); and

**WHEREAS**, the City Council, via Ordinance No. 423, dated July 10, 2002, amended the Redevelopment Plan for the Santee Community Redevelopment Project ("Fourth Amendment" and "Fifth Amendment") to delete certain property from the Redevelopment Plan for the Santee Community Redevelopment Project Area ("Project Area"), replace the previous amended Redevelopment Plan with an amended and restated Redevelopment Plan, and add certain land to the Project Area; and

**WHEREAS**, pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) ("CRL") the Community Development Commission of the City of Santee ("Redevelopment Agency") is engaged in activities necessary to execute and implement the Redevelopment Plan for the Santee Community Redevelopment Project, as amended pursuant to the above-described actions ("Redevelopment Plan"); and

**WHEREAS**, SB 53, codified in part at Health and Safety Code section 33342.7, requires all legislative bodies that adopted a final redevelopment plan before January 1, 2007, to adopt an ordinance on or before July 1, 2007 describing the Redevelopment Agency's program to acquire real property by eminent domain; and

**WHEREAS**, at the City's discretion, the ordinance may, but is not required to, set forth any limitations under the Redevelopment Plan on the Redevelopment Agency's power of eminent domain; and

**WHEREAS**, SB 1809, codified in part at Health and Safety Code section 33373, requires any redevelopment agency authorized by a redevelopment plan adopted on or before December 31, 2006 to acquire property by eminent domain to cause a revised statement of proceedings to be recorded with the county recorder of the county in which the

project area is located, containing specific information set forth in Section 33373(a) and (b) ("Revised Statement of Proceedings"), on or before December 31, 2007, and the Redevelopment Agency is prohibited from commencing further actions in eminent domain until the Revised Statement of Proceedings has been recorded; and

**WHEREAS**, City staff has determined that the approval and adoption of this Ordinance does not constitute an approval of any specific program, project or expenditure and does not constitute a project within the meaning of the California Environmental Quality Act (Public Resources Code § 21000) ("CEQA"); and

**WHEREAS**, pursuant to the foregoing, City staff has determined that a notice of exemption ("Notice of Exemption") for the approval of this Ordinance should be filed with the County of San Diego, pursuant to CEQA, the State CEQA Guidelines and the County's Local CEQA Guidelines,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council finds that the foregoing recitals are true and correct.

**Section 2.** The City Council approves the following program regarding the Redevelopment Agency's use of the power of eminent domain within the Project Area:

"The Redevelopment Agency is authorized to acquire real property by eminent domain pursuant to the provisions of this Plan and the Redevelopment Agency shall strictly adhere to the following in assessing just compensation and damages to affected owners: The Fifth Amendment to the United States Constitution, Article I, section 19 of the California Constitution, the Eminent Domain Law (California Code of Civil Procedure Section 1230010, et seq.), the California Relocation Assistance Act (California Government Code Section 7260, et seq.), implementing rules and regulations (Title 25, California Code of Regulations) and such other applicable local, state or federal ordinances, statutes, rules, regulations and decisional laws. The Redevelopment Agency shall assess the payment of fair market value for interests in real property, payment for the taking and damaging of improvements, fixtures and equipment, any diminution in value caused to a remainder of property acquired pursuant to a resolution of necessity, relocation benefits and assistance, loss of business goodwill in appropriate cases and the necessary costs of mitigating a loss of business goodwill."

**Section 3.** The following restrictions shall apply to the use of the power of eminent domain by the Redevelopment Agency within the territory added to the Project Area by the Fifth Amendment:

(a) The power of eminent domain shall not apply to any residential property located within the territory added to the Redevelopment Plan through the Fifth Amendment that as of the date of adoption of the Fifth Amendment is zoned R-1, R-2, R-7 or R-14 and on which an occupied residential use legally existed as of the date of adoption of the Fifth Amendment.

(b) The power of eminent domain shall not apply to any property that (1) is owned as of the date of the adoption of the Fifth Amendment by a non-profit entity, charitable organization or social or religious institution, (2) is used as nonprofit, special use property as defined in Code of Civil Procedure section 1235.155, (3) is located within the new territory

added to the Redevelopment Plan through the Fifth Amendment, and (4) as of the date of adoption of the Fifth Amendment is zoned R-1, R-2, R-7 or R-14.

(c) The power of eminent domain shall not apply to any property located within the territory added to the Redevelopment Plan through the Fifth Amendment that as of the date of adoption of the Fifth Amendment is an existing and owner-occupied, legal non-conforming residential use on property that as of the date of adoption of the Fifth Amendment is zoned IL or IG and which has been owned by the current owner-occupant of the property for an uninterrupted period since the date the property first became non-conforming.

(d) No eminent domain proceeding to acquire property within the territory added to the Redevelopment Plan through the Fifth Amendment shall be commenced after twelve (12) years following the effective date of the ordinance approving and adopting the Fifth Amendment to the Redevelopment Plan; and for the remainder of the Project Area, after October 13, 2011. Such time limitations may be extended only by amendment of the Redevelopment Plan.

(e) If the power of eminent domain is used by the Redevelopment Agency to acquire property located within the new territory added to the Redevelopment Plan through the Fifth Amendment which is owned by a non-profit entity, charitable organization or social or religious institution and is used as nonprofit, special use property as defined in Code of Civil Procedure section 1235.155, the property shall be valued for acquisition purposes solely under the replacement cost valuation approach.

**Section 4.** The Executive Director of the Commission is hereby directed to compile and incorporate the program adopted by this Ordinance into the Redevelopment Plan, as amended. The program shall not be revised except by amendment of the Redevelopment Plan.

**Section 5.** Agency Staff is hereby directed to record with the Clerk of San Diego County, the attached Revised Statement of Proceedings in accordance with Government Code § 27295 and CRL § 33373, on or before December 31, 2007.

**Section 6.** The City Council hereby directs City staff to file a Notice of Exemption with the Clerk of San Diego County within five (5) days of the adoption of this Ordinance.

**Section 7.** This Ordinance shall be in full force and effect thirty (30) days from and after the date of its final passage.

**Section 8.** If any part of this Ordinance or the Redevelopment Plan, as amended, is held to be invalid for any reason, such decision shall not affect the validity of any remaining portion of this Ordinance or the Redevelopment Plan, as amended, and the City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion had been deleted.

**Section 9.** This Ordinance shall be introduced at least five (5) days prior to the City Council meeting at which this Ordinance is to be adopted. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, on the \_\_\_\_ day of \_\_\_\_\_, 2007, and thereafter **ADOPTED** at a

Regular Meeting of said City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

\_\_\_\_\_  
**RANDY VOEPEL, MAYOR**

**ATTEST**

\_\_\_\_\_  
**LINDA A. TROYAN, CMC, CITY CLERK**

Attachments:     Exhibit "A": Revised Statement of Proceedings for Recordation

**EXHIBIT A**

**REVISED STATEMENT OF PROCEEDINGS**

attached behind this page



When recorded please return to:

Community Development Commission  
of the City of Santee  
10601 Magnolia Avenue  
Santee, CA 92071

Exempt from recording fees pursuant to Cal. Gov't Code § 6103.

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### **STATEMENT OF PROCEEDINGS**

#### **THE PROPERTY THAT IS THE SUBJECT OF THIS STATEMENT IS LOCATED WITHIN A REDEVELOPMENT PROJECT AREA, more specifically in the CITY OF SANTEE COMMUNITY REDEVELOPMENT PROJECT AREA.**

Pursuant to California Community Redevelopment Law (California Health and Safety Code Sections 33000 *et seq.*), the City Council of the City of Santee established the Santee Community Redevelopment Project and approved the Santee Community Redevelopment Plan by Ordinance No. 58, dated July 20, 1982; and via Ordinance No. 423, dated July 10, 2002, amended the Santee Community Redevelopment Plan ("Fourth Amendment" and "Fifth Amendment") to delete certain property from the Santee Community Redevelopment Project Area ("Project Area"), replace the previous amended Santee Community Redevelopment Plan with an Amended and Restated Redevelopment Plan (hereinafter, the "Redevelopment Plan"), and add certain land to the Project Area. The Project Area, as amended, includes the property described in Exhibit "1" hereto. The City of Santee Community Development Commission ("Redevelopment Agency") is engaged in activities necessary to execute and implement the Redevelopment Plan.

The Redevelopment Agency is authorized to acquire real property by eminent domain pursuant to the provisions of the Redevelopment Plan and the Redevelopment Agency shall strictly adhere to the following in assessing just compensation and damages to affected owners: The Fifth Amendment to the United States Constitution, Article I, section 19 of the California Constitution, the Eminent Domain Law (California Code of Civil Procedure Section 1230010, *et seq.*), the California Relocation Assistance Act (California Government Code Section 7260, *et seq.*), implementing rules and regulations (Title 25, California Code of Regulations) and such other applicable local, state or federal ordinances, statutes, rules, regulations and decisional laws. The Redevelopment Agency shall assess the payment of fair market value for interests in real property, payment for the taking and damaging of improvements, fixtures and equipment, any diminution in value caused to a remainder of property acquired pursuant to a resolution of necessity, relocation benefits and assistance, loss of business goodwill in appropriate cases and the necessary costs of mitigating a loss of business goodwill.

Furthermore, within the territory added to the Project Area by the Fifth Amendment, the Redevelopment Plan restricts the Redevelopment Agency's power as follows: The power of eminent domain shall not apply to any residential property located within the territory added to the Redevelopment Plan through the Fifth Amendment that as of the date of adoption of the Fifth Amendment is zoned R-1, R-2, R-7 or R-14 and on which an occupied residential use legally existed as of the date of adoption of the Fifth Amendment. The power of eminent domain shall not apply to any property that (1) is owned as of the date of the adoption of the Fifth Amendment by a non-profit entity, charitable organization or social or religious institution, (2) is used as nonprofit, special use property as defined in Code of Civil Procedure section 1235.155, (3) is located within the new territory added to the Redevelopment Plan through the Fifth Amendment, and (4) as of the date of adoption of the Fifth Amendment is zoned R-1, R-2, R-7 or R-14. The power of eminent domain shall not apply to any property located within the territory added to the Redevelopment Plan through

the Fifth Amendment that as of the date of adoption of the Fifth Amendment is an existing and owner-occupied, legal non-conforming residential use on property that as of the date of adoption of the Fifth Amendment is zoned IL or IG and which has been owned by the current owner-occupant of the property for an uninterrupted period since the date the property first became non-conforming. No eminent domain proceeding to acquire property within the territory added by the Fifth Amendment shall be commenced after twelve (12) years following the effective date of the ordinance approving and adopting the Fifth Amendment to the Redevelopment Plan; and for the remainder of the Amended Project Area, after October 13, 2011. Such time limitations may be extended only by amendment of the Redevelopment Plan. If the power of eminent domain is used by the Redevelopment Agency to acquire property located within new territory added to the Redevelopment Plan through the Fifth Amendment which is owned by a non-profit entity, charitable organization or social or religious institution and is used as nonprofit, special use property as defined in Code of Civil Procedure section 1235.155, the property shall be valued for acquisition purposes solely under the replacement cost valuation approach.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Santee, California, this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

---

Linda Troyan

City Clerk of the City of Santee, California

Exhibit '1'

To the Affidavit and Statement of Proceedings

Legal Boundary Description of  
Community Redevelopment Project Area

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO.** 4A

**ITEM TITLE** SUPPORT FOR THE SANTEE SANTAS

**DIRECTOR/DEPARTMENT**

Randy Voepel, Mayor  
Hal Ryan, Council Member

**SUMMARY**

I would like to discuss and approve an allocation of funds for the Santee Santas. This non-profit organization provides families in the community with toys and food for the holidays. They have also established other programs including; the Senior Outreach (provides for seniors residing in nursing homes), the Emergency Fund (provides assistance to families in crisis) and the Secret Santas (provides assistance for families year-round). This worthwhile organization provides a positive impact to the community.

**FINANCIAL STATEMENT**

Funds are currently appropriated in the FY 2006-07 General Fund budget in City Council Contributions Account 010.0401.006514.

**RECOMMENDATION**

Discuss and approve allocation of funds supporting the Santee Santas.

**ATTACHMENTS (Listed Below)**

None.

**MEETING DATE**

June 13, 2007

**AGENDA ITEM NO.****ITEM TITLE****REVIEW OF THE PROPOSED FY 2007-08 and FY 2008-09  
OPERATING BUDGET****DIRECTOR/DEPARTMENT**

Tim K. McDermott, Director of Finance

**SUMMARY**

The proposed two-year operating budget for fiscal years 2007-08 and 2008-09 will be presented to the City Council this evening. The budget will be brought back to the City Council for adoption on June 27, 2007, reflecting any revisions directed by the City Council. This budget serves as the City's fiscal plan for the coming two years and reflects the many programs and service priorities that the City of Santee is committed to providing its citizens.

While the long range outlook is positive, this two-year budget was developed with a sense of caution. Statewide and national issues such as the housing market slowdown, impacts of sub-prime mortgages, volatile energy prices, and declines in capital investment and consumer spending are of concern. Santee has experienced double-digit increases in assessed valuation in each of the past three years, a trend which will not continue into the next two fiscal years. Retail sales growth is slowing statewide, a trend which will impact Santee's sales tax revenues.

(continued on page two)

**FINANCIAL STATEMENT**

No fiscal impact at this time.

**RECOMMENDATION**

Review the Proposed Operating Budget for FY 2007-08 and FY 2008-09 and provide direction to staff.

**ATTACHMENTS (Listed Below)**

- 1) Proposed Budget Transmittal Letter
- 2) Proposed Budget Overview FY 2007-08 and 2008-09
- 3) Proposed Budget (detail)

## **GENERAL FUND BUDGET**

### **Revenues**

General Fund revenues for FY 2007-08 are projected to be \$32,105,000, which represents a 3.5% increase from the prior fiscal year. FY 2008-09 General Fund revenues are projected to be \$33,453,000, representing an additional 4.2% increase.

Property Tax and Property Tax in Lieu: Property tax revenue is projected to be \$8,568,000 in FY 2007-08 and \$8,910,000 in FY 2008-09. This represents annual increases of 6.4% and 4.0% respectively. Property tax in lieu revenue (received as the result of the permanent reduction in vehicle license fees by the State) is projected to be \$4,230,000 in FY 2007-08 and \$4,400,000 in FY 2008-09, representing annual increases of 6.0% and 4.0% respectively. In total these property tax/assessed valuation based revenues represent nearly 40% of the total General Fund revenues.

Sales Tax: Sales tax revenue (including sales tax in lieu or the "triple flip" payment) is projected to total \$8,683,000 in FY 2007-08 and \$8,944,000 in FY 2008-09. This represents annual increases of 3.7% and 3.0% respectively. Sales tax represents nearly 27% of the total General Fund revenues.

Franchise Fees: Franchise fees collected under gas & electric, telecommunications and refuse collection franchise agreements are projected to increase to \$2,170,000 in FY 2007-08 and to \$2,279,000 in FY 2008-09. This represents annual increases of 4.7% and 5.0% respectively.

### **Expenditures**

Proposed General Fund expenditures total \$31,908,150 in FY 2007-08 and \$33,384,090 in FY 2008-09. This represents increases of 6.1% and 4.6% respectively.

Public safety continues to represent the largest portion of the General Fund operating budget (67% of the total). Proposed expenditures for law enforcement and fire and life safety total \$21,259,190 in FY 2007-08 and \$22,485,120 in FY 2008-09. These amounts include the two gang suppression task force officers and the three firefighter paramedic positions recently added. Negotiations are currently underway for the city's law enforcement services contract with the County of San Diego Sheriff. A portion of fund balance is designated for additional costs should it be needed.

Other proposed expenditures of note are as follows.

City Council: Includes \$25,000 to support non-profit groups or community events that promote the City or have a positive impact on the community.

Information Technology: Establishes a technology replacement program to provide funds for the ongoing replacement of computers and network hardware (\$55,000 per year).

Storm Water Program: Includes an increase of \$108,000 annually in storm water management program costs due to new permit requirements.

**Public Services:** Includes increases due to enhanced landscape and facility maintenance efforts, and the addition of new City facilities such as the Operations Center and Town Center Community Park.

**Special Events:** Includes increases in each of the two years to augment community special events.

**Personnel Costs:** Several vacant non-safety positions remain frozen in the proposed two-year budget. However, in response to ongoing community development activity and in an effort to enhance the customer service provided by the City in the building permit process, the addition of a City Building Official is proposed. This position will enable the City to perform “over the counter” plan review of small projects and plan rechecks, services the City currently does not provide. Also proposed is the unfreezing of a Secretary position in the Community Services Department which will enhance customer service in support of the City’s recreation and special event programs.

The proposed budget reflects the cost of the two-year tentative agreement reached with the Santee Firefighters’ Association which provides for the following salary increases: 3.5% on July 1, 2007, 2.0% on January 1, 2008, and 3.5% on July 1, 2008. Captains will receive an additional 2.0% on January 1, 2009.

### **Reserves**

The City Council has established a General Fund reserve policy to ensure that, absent a catastrophic event, available reserves never dip below 25% of General Fund annual operating expenditures. The General Fund reserve balance is estimated to be \$9,805,760 at June 30, 2009. This fulfills the commitment to a 25% reserve, plus provides \$1,459,740 in one-time resources (4% of General Fund annual operating expenditures), most of which will be utilized in the five-year capital improvement program.

### **Capital Improvement Program**

The five-year Capital Improvement Program is being updated to reflect revised funding projections, project timelines, and priorities. The revised Capital Improvement Program will be brought forward for Council’s consideration during the first quarter of FY 2007-08.

**MEETING DATE** June 13, 2007

**AGENDA ITEM NO. 6B**

**ITEM TITLE** PROPOSED WORK PROGRAM TO UPDATE VARIOUS ELEMENTS OF THE GENERAL PLAN AND ZONING CODE

**DIRECTOR/DEPARTMENT** Gary Halbert, Development Services

**SUMMARY** It has been almost four years since the City Council adopted the City's General Plan 2020 and revised the Zone Code. To ensure the effectiveness and currency of the General Plan, the Town Center Specific Plan and Zone Code, the Department proposes a phased work program to evaluate and update these documents. The first phase would focus on residential topics related to the pending Housing Element Update, including residential densities and the identification of potential sites for affordable housing. The first phase of the work program will also examine residential uses including "congregate care facilities", "group care homes" "transitional housing" and "boarding houses". Other recommended revisions in the first phase, not related to residential uses, would be the prohibition of fleet and recreational vehicle storage in the General Commercial Zone and requirements for utility cabinet placement.

The first phase of the work program would also include proposed modifications to the Town Center Specific Plan. This Plan was most recently updated to incorporate the RiverView Master Plan to guide the comprehensive development of the corporate office park. However, much of the remainder of Town Center has been developed in accordance with the Specific Plan or as amended on a project-specific basis. The Mission Creek development located west of Cuyamaca Street and north of the San Diego River is proposed for a change from the single Town Center designation to the district designation corresponding to the existing development (such as R-7, R-14, and GC). Also within Town Center, near Magnolia Avenue and abutting the County's Edgemoor Hospital site is a 0.60-acre site that is currently designated Park/Open Space. The properties (two separate tax assessor's parcels and ownerships) are developed with single-family dwellings some of which were constructed in 1935 and in dilapidated condition. A change to provide for multiple-family development for Council consideration is proposed.

The second phase of the work program would evaluate additional changes to the General Plan, Town Center Specific Plan and Zone Code resulting from the adoption of the Multiple Species Conservation Plan – City of Santee Subarea Plan, any airport land use compatibility revisions, any additional Housing Element revisions, and miscellaneous code revisions to accommodate changes/trends in personal services, new land uses and development standards (building separation, guest parking minimums, etc) that promote high quality development.

**FINANCIAL STATEMENT** Not applicable; covered by the Department's budget.

**RECOMMENDATION** Provide direction to staff on proposed changes.

**ATTACHMENTS**

Staff Report

Exhibits 1 -4



**STAFF REPORT  
DDS WORK PROGRAM – PHASE 1  
CITY COUNCIL MEETING JUNE 13, 2007**

**A.PURPOSE**

The General Plan was comprehensively updated in 2003, with attendant changes to the Zoning Code. In 2006, the Town Center Specific Plan was amended to provide a comprehensive framework for the development of undeveloped County-owned land remaining in Town Center. To ensure that these plans and the zoning code remain current and effective in achieving the City's General Plan vision, staff is proposing a phased work program. The first phase would focus on creating a new residential zone that will further smart growth development opportunities in Town Center, changes in land use designations within Town Center, providing for a wide range of assisted living facilities (e.g. active senior living), minor changes to the residential and commercial land use matrices, and standards for the placement of utility cabinets. The relevant Code sections would be revised accordingly.

The second phase would focus on amendments to the General Plan Elements associated with the Multiple Species Conservation Program – Subarea Plan, potential amendments to reflect airport land use compatibility, and any additional changes needed to the Housing Element Update. It would also include revisions to the land use and site development matrices of citywide zones and new definitions of uses to accommodate changes in commercial and retail services.

More specifically, the first phase includes the following:

- Consider a new residential zone (R-30) to allow development within a density range of 30-40 dwelling units per acre at the Las Colinas/Edgemoor Facility site in Town Center;
  - Identify and assess land use designation changes to the Town Center Specific Plan (TCSP) that reflect more accurately existing development that has been approved pursuant to the TCSP and/or to amendments that were approved when those projects were approved;
  - Provide zoning clarification on group care facilities, transitional housing and boarding houses;
  - Add a congregate care facility to the list of uses in the Residential and Commercial Zones;
  - Add a provision in the Code under "Minor Exceptions" to facilitate "reasonable accommodation" for persons with disabilities;
  - Add a prohibition on commercial fleet and recreational vehicle parking in the General Commercial Zone;
  - Update the Density Bonus Ordinance consistent with State law; and
  - Change the zoning of the Carlton Club Villas located at 9325-9356 Carlton Oaks Drive from R-7 to R-14 or R-22 to more closely reflect current development density (19.17 dwelling units per acre).
- 
- Add a code section for the regulation of utility structures. These topics are further discussed, as follows:

## Consideration of a High Density R-30 District/Zone

A new land use designation and zone district for multifamily units with a density range of 30-40 units per gross acre will be proposed (R-30). Approximately 46.4 acres on County of San Diego property located within Town Center that is currently developed with the Las Colinas Women's Detention Facility and the Edgemoor hospital complex (Exhibit 1). This area is identified as a "Future Phase" of the RiverView Office Park in the Master Environmental Impact Report. Higher density residential use on the "Edgemoor Property" would be consistent with General Plan Policies 1.2 and 2.2 stated below. Further, residential development of the Edgemoor/Las Colinas property would not affect the 1.5 to 1.8 million square feet projected to be constructed within the RiverView Office Park. At a minimum density of 30 dwelling units per acre, the City would also create an opportunity to provide affordable housing in the community.

- General Plan Policy 1.2: The City shall incorporate residential development into any master plan for the Edgemoor property on the south side of the San Diego river to take advantage of the proximity of the multi-modal transit station.
- General Plan Policy 2.2: The City should encourage the development of higher density residential developments in areas close to the multi-modal transit station and along major road corridors where transit and other convenience services are available.

Staff is currently preparing the 2005-2010 Housing Element and an important part of the Housing Element update process is the identification of sites for affordable housing. Santee's remaining share of the 2005-2010 regional housing need for lower income households is 380 units. Undeveloped property that is served by existing infrastructure and free of significant environmental constraints is considered by the State to be suitable for affordable housing if zoned to allow a minimum density of 30 units per acre. As little as 15 of the 46.4 acre Edgemoor/Las Colinas property could satisfy this requirement.

## Other Town Center Land Use Changes

1. **Mission Creek Commons:** The Town Center Specific Plan has been fully implemented in the Mission Creek Commons development located west of Cuyamaca Street and north of the San Diego River (Exhibit 2). Residential development was phased over the years, with the last pad next to the San Diego River developed in 2002 (KB Homes – Palmilla). The TCSP had been amended to replace the commercial land use designation with a multiple-family (R-7) land use designation when both the Palmilla and the Autumnwood projects were approved. The basis for the change was a recognition that a residential land use was more appropriate in the context of land use compatibility (adjacent to residential development), the acknowledgement that the commercial shopping center across the street contained undeveloped pads (major tenant - Food 4 Less) and that the site(s) were disconnected from the heart of Town Center.

Staff is recommending that the TC designation be eliminated and replaced with the respective residential densities represented by the projects. For example, the Palmilla and Autumnwood sites would become Medium Density Residential (R-7); the Food 4 Less Shopping Center would become General Commercial (GC).

- 2. Edgemoor/Magnolia Sites:** Two parcels (combined 0.60-acre area) under different ownerships located along the west side of Magnolia Avenue and north of Park Avenue are currently designated “Park Open Space” in the Town Center Specific Plan (Exhibit 3). This designation essentially restricts improvement of the properties which contain small houses constructed in 1935 and 1952 (per County assessor's records). Staff is recommending that these parcels be re-designated to allow for residential development in accordance with adjacent development provisions at 14-22 dwelling units per acre.

## Housing

On recommendation of the City Attorney’s Office, an ordinance would be drafted to provide the City certain tools to monitor and/or to regulate certain housing facilities to the maximum extent permitted under state law. This would include group/congregate care facilities, boarding houses and transitional housing.

## Minor Exceptions

The City currently does not have a formal process through which persons with disabilities can seek relief from zoning standards as necessary to ensure accessibility. With the Zoning Code revision, requests for reasonable accommodation and relief from zoning standards would be handled through the existing Minor Exception process.

## Commercial Fleet and RV Storage in GC Zone

The Zoning Code would be revised to prohibit storage of commercial fleets and recreational vehicles within the commercial zones and clarification provided on the definition of a commercial parking lot.

## Density Bonus Ordinance

The Zoning Code revision would grant density bonuses of up to 35 percent to developers of affordable housing, depending on the amount and type of affordable housing provided consistent with recent changes in State law. The revision would also establish a process for developers of affordable housing to request concessions or exceptions from normally applicable zoning and other development standards to facilitate the construction of affordable housing. Reduced parking ratios are a mandatory concession. The following table compares the City’s current parking standards to the proposed parking standards:

Unit Type	Required Parking Spaces Per Unit	
	City of Santee	State Density Bonus Law
Studio or 1 bedroom	1 ½ spaces	1 space
2 bedrooms	2 spaces	2 spaces
3 bedrooms	2 spaces	2 spaces
4 or more bedrooms	2 spaces	2 ½ spaces
Guest Parking	1 space per 4 units	No guest parking required

## **Carlton Oaks Villas Rezone**

This is a clean-up item to reflect current project density development, similar to the re-designation of the parcel located at the southeast corner of Mast and Magnolia from R-7 to R-22 to reflect existing conditions. Refer to Exhibit 4 for location.

## **Utility Structures**

Utility cabinets and back-up generators located in the right-of-way are a concern given their proliferation in recent years. Upon direction from the City Council, staff has reviewed projects on a case by case basis to ensure that these cabinets are placed underground unless demonstrated to be infeasible by the utility companies. A new Code Section is proposed that would establish minimum development and design criteria and conditions for the placement of utility structures (including power generating utility structures) in private, public utility, or public service easements and not in the City's right-of-way whenever feasible.

## **D.STAFF RECOMMENDATION**

Direct staff to prepare revisions to the General Plan and Zoning Code as identified in this Report and to docket the revisions for City Council consideration.

**MEETING DATE**

June 13, 2007

**AGENDA ITEM NO.****ITEM TITLE****REVIEW OF THE PROPOSED FY 2007-08 and FY 2008-09  
OPERATING BUDGET****DIRECTOR/DEPARTMENT**

Tim K. McDermott, Director of Finance

**SUMMARY**

The proposed two-year operating budget for fiscal years 2007-08 and 2008-09 will be presented to the Commission this evening. The budget will be brought back for adoption on June 27, 2007, reflecting any revisions directed by the Commission.

As a result of ongoing economic development and redevelopment activities, over the past four fiscal years the Community Development Commission ("CDC") has experienced strong increases in assessed valuation within the redevelopment project area, and thus a corresponding increase in property tax increment revenue. While growth is expected to continue, it will be at a much lesser rate than previously experienced. Property tax increment revenue is projected to increase by 7.3% in FY 2007-08 and by 5.2% in FY 2008-09. Total CDC revenues are estimated to be \$10,560,500 in FY 2007-08, and \$10,816,600 in FY 2008-09.

The proposed CDC budget provides for funding existing bonded debt service and meeting other existing redevelopment obligations, including the statutory pass-through of property tax increment to other local taxing entities. Existing reserves, combined with the CDC's tax increment revenue stream, will provide additional resources for infrastructure, park, and other public improvement projects which benefit the redevelopment project area. These resources will also provide an opportunity to further the City and CDC's economic development and redevelopment goals. The proposed two-year budget provides for an increase in the CDC's support of the City's capital improvement program by transferring an additional \$4 million in redevelopment funds and \$2 million in housing set aside funds to the capital improvement program.

**FINANCIAL STATEMENT**

No fiscal impact at this time.

**RECOMMENDATION**

Review the Proposed Operating Budget for FY 2007-08 and FY 2008-09 and provide direction to staff.

**ATTACHMENTS (Listed Below)**

Proposed Budget (detail)